

IN RE: PETITION FOR VARIANCE * BEFORE THE
 NW/S Joppa Road and Audrey Avenue
 (2306 - 2318 Joppa Road * DEPUTY ZONING COMMISSIONER
 9th Election District
 6th Councilmanic District * OF BALTIMORE COUNTY
 Mayer Handelman, et ux * Case No. 95-450-A
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2306 thru 2318 Joppa Road, located in the vicinity of Harford Road in Parkville. The Petition was filed by the owners of the property, Mayer and Donna Handelman, through Julius W. Lichter, Esquire. The Petitioners seek relief from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 71 parking spaces in lieu of the required 98 spaces. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Dr. and Mrs. Mayer Handelman, property owners, Paul Thomas, owner of the adjoining Baskin Robbins Ice Cream Store, Mr. & Mrs. Robert Kotula, owners of the Bagel Shoppe, Thomas W. Merrill, owner of the Exxon service station adjacent to the subject property, Edwin Howe, III, Professional Engineer with KCW Consultants, Inc., who prepared the site plan for this project, and Julius W. Lichter, Esquire, attorney for the Petitioners. Appearing as a Protestant in the matter was Terri Robel, a resident of Glen Arm.

Testimony and evidence offered revealed that the subject property consists of 1.085 acres, more or less, zoned B.L.-C.S.2 and is the site of the Woodhaven Park Plaza Shopping Center. The property is improved with a

ORDER REQUESTED FOR FILING

Date

By

7/21/95
 [Signature]

7/21/95

variety of commercial uses including the Woodhaven Pharmacy and adjacent clinic with doctors' offices, and a separate one-story commercial complex consisting of a beauty salon, dry cleaners, ice cream parlor, and Bagel Shoppe, which is the subject of this Petition. The Bagel Shoppe recently commenced operating from the premises approximately one month ago. The owners of the Bagel Shoppe wish to establish a small seating area for their customers within the existing space. Because the Bagel Shoppe occupies approximately 2,278 sq.ft. of space, the requested variance to parking requirements is necessary in order to proceed as proposed. The zoning regulations calculate the number of parking spaces required based on the total square footage of a building, even though in this instance, most of that square footage is used for the cooking and preparation of bagels. In any event, 98 parking spaces are required for this business and the Petitioners are only able to provide 71. Testimony indicated that there is additional parking available at the Exxon station across from the subject site and there is other parking available on-site, however, those spaces do not meet County regulations and therefore, the Petitioners were not credited with them.

The overwhelming testimony of all of the witnesses who were present at the hearing was that there are no parking problems in this shopping center. Testimony indicated that the Bagel Shoppe's peak hours of business are from 6:00 AM to 9:00 AM each morning at which time most of the other businesses in this shopping center are not yet open. Therefore, the Petitioners believe that the parking situation at this location works very well in that the uses within the shopping center generate customers at different times.

7/21/95
By [Signature]
[Signature]
[Signature]

Appearing in opposition to the Petitioner's request was Terri Robel. Ms. Robel is concerned that there are no handicapped parking spaces provided for customers. Mr. Howe, the engineer who prepared the plan, testified that three handicapped parking spaces are required for this site but are not shown on the plan. Ms. Robel would like to see these spaces provided on-site.

As noted above, three handicapped parking spaces are required for this site. Therefore, as a condition of approval the Petitioners shall be required to provide these three parking spaces and a revised site plan shall be submitted depicting the location of same within thirty (30) days of the date of this Order.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

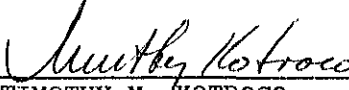
Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

ORDER RECEIVED FOR FILING
Date 7/21/95
By [Signature]

the location of the three handicapped parking spaces required.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs



TIMOTHY M. KOTROCO

Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

DATE

BY

7/29/95

BP

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

July 21, 1995

(410) 887-4386

Julius W. Lichter, Esquire
305 West Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
NW/S Joppa Road and Audrey Avenue
(2312 Joppa Road)
9th Election District - 6th Councilmanic District
Mayer Handelman, et ux - Petitioners
Case No. 95-450-A

Dear Mr. Lichter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Dr. & Mrs. Mayer Handelman
1 Grist Mill Court, Baltimore, Md. 21208

Ms. Terri Robel
4608 Copperwood Lane, Glen Arm, Md. 21057

Mr. Edward S. Howe, III, KCW Consultants, Inc.
3104 Timanus Lane, Suite 101, Baltimore, Md. 21244

People's Counsel; Case/File





Petition for Variance

75-450-A

to the Zoning Commissioner of Baltimore County

for the property located at

2306 thru 2318 Joppa Road

which is presently zoned

B1-CS-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

409.6.A.2 to permit 71 parkings spaces in lieu of the required 98

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Unusual shape of the lot and other reasons to be presented at the public hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

JULIUS W. LICHTER, ESQUIRE

(Type or Print Name)

Signature

Suite 113

305 West Chesapeake Ave. 321-0600

Address

Phone No.

Towson, Maryland 21204

City

State

Zipcode

**DROP-OFF
NO REVIEW**

Printed with Soybean Ink
on Recycled Paper

6/7/95
UCR

Legal Owner(s).

MAYER HANDELMAN

(Type or Print Name)

Signature

DONNA HANDELMAN

(Type or Print Name)

Signature

1 Grist Mill Court

Address

Phone No

Baltimore, Maryland 21208

City

State

Zipcode

Name, Address and phone number or representative to be contacted

JULIUS W. LICHTER, ESQUIRE

Name

SUITE 113

Address

305 West Chesapeake Avenue 321-0600

Address

Towson, Maryland 21204

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

ORDER RECEIVED FOR FILING

Date



KCW Consultants, Inc.

Civil Engineers and Land Surveyors
3104 Timanus Lane, Suite 101 / Baltimore, Maryland 21244

(410) 281-0030 / 281-0033 / Fax (410) 298-0604

443

May 2, 1995

75-450-A

ZONING DESCRIPTION

"WOODHAVEN PHARMACY"


Property of Mayer Handelman, et ux

BEGINNING at a point on the north side of Joppa Road, which is 70 feet wide, at the distance of 250 feet west of the centerline of Old Harford Road, which is 60 feet wide. Thence the following courses and distances:

1. South 84 degrees 00 minutes 04 seconds West 83.44 feet;
2. North 05 degrees 59 minutes 56 seconds West 42.44 feet;
3. North 71 degrees 53 minutes 53 minutes West 140.99 feet;
4. North 31 degrees 21 minutes 04 seconds East 200.00 feet;
5. South 70 degrees 39 minutes 22 seconds East 234.44 feet;
6. South 31 degrees 21 minutes 04 seconds West 199.72 feet to the place of beginning as recorded in Deed Libers 3815-369, 3852-143, 4328-573 and 147 square feet of Land Exchange between Sunnybrook Realty Co., Inc. and Mayer Handelman, et ux, as shown on a plat prepared by Georges William Stephens, Jr. and Associates, Inc., dated April 7, 1966.

Containing 47,255 square feet or 1.085 acres of land, more or less.

Also known as 2312 Joppa Road and located in the 9th Election District.


Handwritten signature: *William Kennedy*
Handwritten date: *5/10/95*

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

93-450-17

District: *9th* Date of Posting: *6/17/95*

Posted for: *Variances*

Petitioner: *Mayer & Donna Henschelway*

Location of property: *2306-2318 Loppa Rd, N/S*

Location of Signs: *Facing roadway, on property being zoned*

Remarks: _____

Posted by: *[Signature]* Date of return: *6/23/95*
Signature

Number of Signs: *1*



MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-450-A
(Item 443)

2306-2318 Joppa Road -
(Woodhaven Pharmacy)
N/S Joppa Road, also SE/S
Audrey Avenue, W. of
Harford Road
9th Election District
6th Councilmanic
Legal Owner(s):

Mayer Handelman and
Donna Handelman
Hearing: Friday,
July 7, 1995 at 3:00 p.m.
in Rm. 106, County Office
Building.

Variance to permit 71 parking spaces in lieu of the required 98.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.
6/266 June 22.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

6/22, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/22, 1995.

A. THE JEFFERSONIAN,

LEGAL AD, - TOWSON

~~Signature~~



Baltimore County
**Zoning Administration &
Development Management**
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
95-450-A

Date 6/7/95

Account: R-001-6150

Number 443 (WCR)

DROP-OFF ——— NO REVIEW

#020 - VARIANCE ————— \$250.00
#080 - SIGN POSTING ————— 35.00
TOTAL ————— \$285.00

Legal Owner: Mayer Handelman & Donna Handelman
2306-2318 Joppa Road
"Woodhaven Pharmacy"
District: 9c6
Zoning: B.L.-C.S.-2
47,255 square feet
Attorney: Julius W. Lichter

00000000000000000000

check from Levin & Gann PA

03A03#0078MICHRC

\$285.00

BA 0002#45PM06-07-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS AND PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.


ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Case No.: _____ Item No.: **443**

Petitioner: DR. & MRS. MAYER HANDELMAN

LOCATION: 2306 thru 2318 Joppa Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MAYER HANDELMAN

ADDRESS: 1 Grist Mill Court

Baltimore, MD 21208

PHONE NUMBER: 337-9510

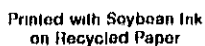
AJ:ggs
(Revised 3/29/93)

(410) 887-3353

NOTICE OF HEARING

Variance to permit 71 parking spaces in lieu of the required 98.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



TO: PUTUXENT PUBLISHING COMPANY
June 22, 1995 Issue - Jeffersonian

Please forward billing to:

Mayer Handelman
1 Grist Mill Court
Baltimore, MD 21208
337-9510

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-450-A (Item 443)
2306-2318 Joppa Road - Woodhaven Pharmacy)
N/S Joppa Road, also SE/S Audrey Avenue, W of Harford Road
9th Election District - 6th Councilmanic
Legal Owner(s): Mayer Handelman and Donna Handelman
HEARING: FRIDAY, JULY 7, 1995 at 3:00 p.m. in Room 106, County Office Building.

Variance to permit 71 parking spaces in lieu of the required 98.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 30, 1995

Julius W. Lichter, Esquire
305 W. Chesapeake Ave., Suite 113
Towson, Maryland 21204

RE: Item No.: 443
Case No.: 95-450-A
Petitioner: M. Handelman, et ux

Dear Mr. Lichter:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 7, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: June 26, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for June 26, 1995
Item No. 443

The Development Plans Review Division has reviewed the subject zoning item. Audrey Avenue is an existing road, which shall ultimately be improved as a 30-foot street cross-section on a 50-foot right-of-way.

Entrances to the commercial site will be per Department of Public Works Standard Plate R-32, Single Commercial Entrance.

RWB:sw


BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: June 19, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 2306-2318 Joppa Road 

INFORMATION:

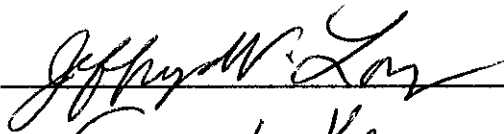
Item Number: 443
Petitioner: Handelman Property
Property Size: _____
Zoning: BL-CS-2
Requested Action: Variance
Hearing Date: / /

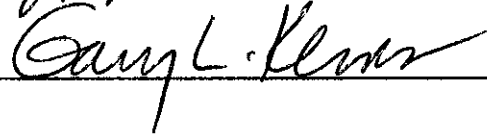
SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to permit 71 parking spaces in lieu of the required 98.

A site visit at the subject property revealed no parking shortage on June 16, 1995 at 11:30 A.M.

Staff supports the applicant's request; however, it is recommended that the plan accompanying the petition be amended to indicate that the area of parking to the rear of the commercial complex be utilized for employee use.

Prepared by: 

Division Chief: 

PK/JL



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

6-13-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 443 (WCR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

MICROFILMED

Jw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 06/14/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JUNE 19, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 441, 442, 443, 444, 445, 446,
447, 448 AND 449.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 19, 1995

Julius W. Lichter, Esquire
305 West Chesapeake Avenue
Suite 113
Towson, MD 21204

RE: Preliminary Petition Review (Item # 443)
Legal Owner: Mayer & Donna Handelman
2306-2318 Joppa Road
Woodhaven Pharmacy
9th Election District

Dear Mr. Lichter:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. On the petition form where the zoning classification is placed, there is a type-error. It should read "B.L." instead of "B1".
2. The variance should also mention the existing parking within and close to the street right-of-way. Legal parking adds up to 59 parking spaces.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "M. Kellman".

Mitchell J. Kellman
Planner II

Enclosure (receipt)

c: Zoning Commissioner



Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 12, 1995

Julius W. Lichter, Esquire
Levin & Gann
305 W. Chesapeake Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
NW/S Joppa Road & Audrey Avenue
(2306-2318 Joppa Road)
9th Election District - 6th Councilmanic
Mayer Handelman, et ux - Petitioners
Case No. 95-450-A

Dear Mr. Lichter:

This letter is to confirm that on September 6, 1995, this Office received a revised site plan, dated August 15, 1995, which incorporated the proposed handicapped parking spaces for this project, as required by my Order issued July 21, 1995.

Please be advised that this revised plan meets the requirements of Restriction 2 of my Order and thus, has been approved and incorporated into the case file.

Should you need any further information on the subject, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Case File



RE: PETITION FOR VARIANCE * BEFORE THE
2306-2318 Joppa Road (Woodhaven Pharmacy) *
N/S Joppa Road, also SE/S Audrey Avenue, * ZONING COMMISSIONER
W of Harford Road, 9th Election District, * OF BALTIMORE COUNTY
6th Councilmanic *
Mayer and Donna Handelman * CASE NO. 95-450-A
Petitioners *

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of June, 1995, a copy of the foregoing Entry of Appearance was mailed to Julius W. Lichter, Esquire, 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-0600
TELECOPIER 410-296-2801

257.3-95
443
ELLIS LEVIN (1893-1960)

KATHRYN T. MAY

June 6, 1995

HAND-DELIVERY

Arnold Jablon, Director
Zoning Administration & Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Variance
2306 thru 2318 Joppa Road
Petitioner: Mayer Handelman

Dear Mr. Jablon:

Please accept the enclosed Petition for Variance as a "drop-off" filing. A check for \$285 (\$250 filing fee, plus \$35 for the sign) is enclosed. Please call me, or Julius Lichter, with any questions.

Sincerely,

Kathryn May

Kathryn T. May

enclosures

6/6/95
TO WLF
Z?
No VIOLATIONS
No REVIEW
PER KATIE
6/7/95

RECEIVED
JUN 6 1995
ZADM

KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timanus Lane Suite 101
BALTIMORE, MARYLAND 21244

LETTER OF TRANSMITTAL

(410) 281-0030 281-0033

TO DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY
SUITE 112 COURTHOUSE
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

DATE	8/15/95	JOB NO.	95730
ATTENTION	TIM KATROCO		
RE.	WOODHAVEN PHARMACY CASE NO. 95-450-A		

WE ARE SENDING YOU ☐ Attached ☐ Under separate cover via _____ the following items:

- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
2			REVISED PLAN SHOWING PROPOSED HANDICAPPED PARKING SPACES PER ORDER OF CASE 95-450-A

THESE ARE TRANSMITTED as checked below:

- ☒ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☒ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

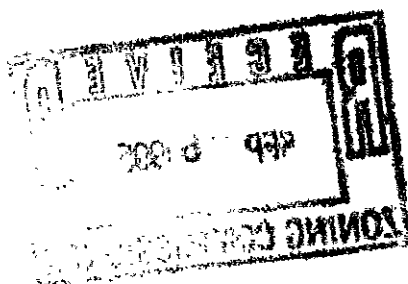
REMARKS _____



COPY TO _____

SIGNED: _____

If enclosures are not as noted, kindly notify us at once.



PLEASE PRINT CLEARLY

BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET

NAME

ADDRESS

EDWIN S. HOWE II
Robert T. Kojala
Paul Thomas
Anna Henderson
Mayer Handman
Thomas W. Merrill

KCW CONSULTANTS INC.
3104 TIMMANS LANE ST. 101
BALT. MD 21244
9708 BRITAIN LA 21234
3315 Appleton Ave 11231
1 Grinstead Rd 21208
1 Grinstead Ct 21107
2320 E. 50th A Rd 21234

Protestant

PLEASE PRINT CLEARLY

~~PETITIONER(S)~~ SIGN-IN SHEET

NAME

ADDRESS

TERRI ROBEL

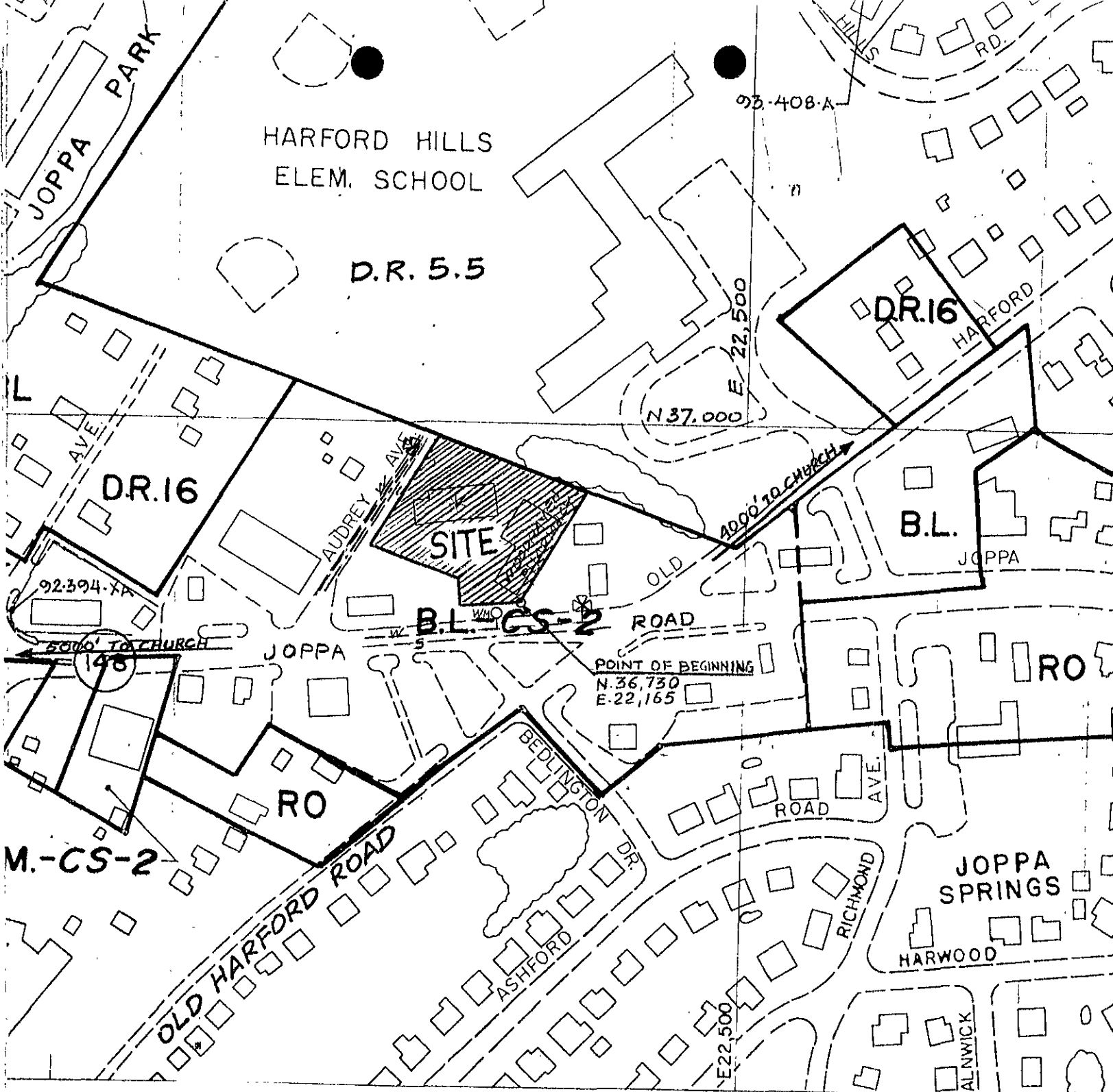
4608 COPPERHICK LANE

Glen Artn, Md 21057



Printed with Soybean Ink
on Recycled Paper

WASH STATE 11-10-11



1992 COMPREHENSIVE ZONING MAP **Adopted by the Baltimore County Council**

1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992	SCALE 1" = 200' ±	LOCATION CARNEY	SHEET N.E.
Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92	DATE OF PHOTOGRAPHY JANUARY 1986		10-D
<i>William A. Howard IV</i> Chairman, County Council			

MICROFILMED

95-450-A

443

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

NAME

ADDRESS

<i>[Signature]</i>	2300 E. JOPPARD BALT. MD 21234
<i>[Signature]</i>	2300 E. JOPPARD BALT. MD 21234
<i>[Signature]</i>	8902 audrey ave Balt md 21234
<i>[Signature]</i>	2320 E JOPPARD Baltimore, md 21234
<i>[Signature]</i>	2300 E Joppa Rd Balt MD 21234
<i>[Signature]</i>	2300 E Joppa rd BALTO 21234



Neighbors
GAS STATION
Ed & Jim's

Seuler
INSURANCE
Beauty Salon
Ed & Jim
Esso Exxon
STATION

**PETITIONER'S
EXHIBIT NO. 2A**

W. J. J. J. J.

I am a tenant at Woodhaven Park Plaza. I understand that the owner of the shopping center has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98 spaces. I have no objection to this request because I believe that there is a sufficient number of parking spaces to accommodate all the tenants and our respective customers.

NAME

ADDRESS

Chad & Lane	2306 E. Joppa Rd.
Kyung Jo Park	2308 Joppa Cleaner
Frances Thomas	2310 E. Joppa Rd.
Tracye Sebastian	2314 E. Joppa Rd.
Alas Wiggell	2316 E. Joppa Rd.
James F. Fink	2314 E. Joppa Rd.



HARKINS
BUILDERS

2306 - B Palor
2308 - CLEANER
2310 B-R-
2314 MD
2316 - Podiatrist
2314 Dentist

**PETITIONER'S
EXHIBIT NO. 2B**

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

NAME

ADDRESS

Nadia Irani 9314 Montego Ave

Amy Cline 28 Graveswood Ct.

Toni Ehrhardt 32 Malton Ct.

Charles Westwell 8703 LITTLEWOOD RD

~~Robert Forshery~~ 2708 Superior Ave.

Robert Forshery 2906 SUMMIT AVE

Susan L Patterson 9025 Puring Park Rd

Jim McDonnell 4 Blessing Ct.

Ed For 20ppa Rd

Diana Kristin 9204 Throgmorton Rd

M Lanning 7921 BEVELLY AVE

Jane Hendler 9 Tarland ct 21236

Gloria Key 1818 Denwood Rd 21234

Antonia Remond 2297A LOWELL RIDGE Rd.

Marie A Costanzo 6 Corner Ct Germantown Md

Cynthia P Hatfield 5 Hoban Ct Baltimore, MD 21236

PETITIONER'S

EXHIBIT NO. 2C

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

NAME

ADDRESS

Barbara Pausers	9673 Dixon Ave	21234
Mary Jo Brazil	1710 Pin Oak Rd.	21234
Robert Cambridge	38 Talister Ct.	Balto 21237
Raymond M. Schulman	21 Club View Lane	Phoenix 21131
DONNA LORENZO	3614 Rockberry Rd.	BALTO 21234
Christine Hunt	3007 N Branch Ln	Balt 21234
Joe Cromblit	9610 Alta Dr.	21234
Julie McCloskey	9202 Better Reef Rd	21234
Bunny Frost	2471 Woodcroft Rd.	21234
Carol Hanks	1 Clearwater Ct	21220
Cheryl Falpe	PO Box 43219	Balt 21236
Kelly McEwen	2647 Gibson Rd	Balt 21234
Sandy Smith	2 Kathsway	21234
Blake Gish	19 Kathsway	21234
Nancy Musch	9108 Topwood Ct	21234
WESTING B&B	34 Bowler Ct.	21234

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

<u>NAME</u>	<u>ADDRESS</u>	
Nancy Costanzo	1841 Beth Bridge Cr.	21050
Christina Carr	3662 Double Rock Lane	21234
Isaac D. [unclear]	5511 Pennington Lf	21128
First	8222 Loch Raven Blvd	
Brigid Ritmiller	8706 Summit Ave.	21234
Julie McDonnell	4 Blessing Ct.	21234
Carol Ann	2810 Andover Ave	21234
Michelle Green	315 Papermill Rd.	21131
Kearna Snyder	9601 Alder Dr	21234
Robert Preuss	9402 Old Harford Rd	21234
Jilly	9235 Red Clover Cr.	21234
Brenda Parsons	9237 Harford View Dr.	21234
Jana Bauman	3336 Texas Ave Balto	21234
Pauline Comer	2215-I LOWELL GLEN RD	21234
Ryan Ford	1337 Halshead Rd	21234
Deborah Pyles	8542 W. HOW OAK RD	Balto 21234

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

<u>NAME</u>	<u>ADDRESS</u>	
Ray Cronin	1660 W. Joppa Rd.	21204
Helen Dugan	2802 Kings Ridge Rd.	21234
Jeff Smith	7816 Bagley Ave	21234
Nicole Penney	5230 North Ave	21204
Joe Carson		
PAUL DeSimone	9740 BRITAINWAY LA	21234
Gary Dreger	2613 Harwood Rd	21234
Selbach Winkowski	9654 Derby Ave	21234
Russell Wayne Tappin	14 Tommy Tru Ct.	21234
Allan Wilson	2800 Elmwood Ave	21214
Robert Scherer	3635 Greenmantle Ave	(21218)
J Collins	Pinewood Ave	21214
J Carr	3162 Double Rock Ln	21234
Jim Bengert	2600 Matthews Dr.	21234
Frank Winkler	13 Horn Mist Ct	21234
Nyada Cegerek	8658 Oak Rd	21234

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

<u>NAME</u>	<u>ADDRESS</u>
NANCY BURKE	2009 HEATHFIELD RD
Jan Paxton	2903 Evergreen Ave.
Scott Millman	7 Dallington Court
Diana Lettice	15 Powhurst Ct. 21236
Jarvis Munn	9014 Throgmorton Rd 21234
Jerry Bursky	2640 Matthews Dr. 21234
Claire DeMeyer	3603 Double Rock CA 21234
Kirk Stephens	3 Tadmor Ct. 21234
Deanna Dietrich	20 Delatoid Ct 21234
Victoria W. Hux	9042 Mason Ave. 21234
Joyce Hertz	4 Tarmore Ct Apt. 301
Richard Parr	6 Tigerwood CT 21234
Lisa Cuzzo	500 Castle Dr. Balt. 21212
Paul Kulishek	2105 Clover Ave 21214
Janine Thomson	11 Anway #47 21286
Barbara Lyra	8536 Nassau Ave 21234

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

NAME

ADDRESS

Fred Burman 6016 Harford Rd 21214

Nancy Burns 2110 Woodford 21215

John D. Norfolk 8 Tadmor Ct. #200 21234

Purnan W. Swanwick Ct 21234

Lynn Blosser 1329 Kenton Rd 21234

Sam M. Munn 9637 Mason Ave

Michelle Magliell 7822 Gleneloes Ave

D. Donnie 1826 Dunwoody Rd 21234

Ken Kuhns 8421 Kings Ridge Rd. 21234

John Z. Farnham 8 Promise Ct 21234

Anna J. Farnham 8013 Richmond Cir 21234

Patricia Barry 1551 Dellsway Rd 21286

Mary Kotule 8105 Halton Rd 21204

Kelly Habicht 2705 Second Ave 21234

Bill Wellen 8623 Richmond Ave 21234

Julie Wellen 8623 Richmond Ave 21234

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

<u>NAME</u>	<u>ADDRESS</u>	
Edward Coccia	9510 Ridgely Ave. Balt. Md	
Theresa Freund	2805 Cold Stream Way #21234	
Debra Korman	1819 Berkeley Rd	21234
Bob Voelker	3008 Lavender Ave	21234
Bridget M. Muntie	1629 Glencoe Rd	21252
Walter Frizzell	2617 Ebony Rd	21234
Pat Mroski	3 Graveswood Rd	21234
E. Jorgensen	8504 HARRIS AVE	21234
Rick H.	6 Burl Ct	21234
Marene Meek	14 Rongr Ct	21234
Ann F. Schubert	3022 Fourth Ave	21234
Carleen Bawa	11 Robin Ridge Ct	21234
Robin McDonough	2625 Matthews Drive	21234
Kim Forest	11 Redfield Ct	21236
CAROL COX	9145 COVERED BRIDGE RD	21234
Laune Hochwald	2294-A LONELL RDS RD	21234

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

NAME

ADDRESS

Ann M. Holby	8 Cedaron Ct Balt, MD	21236
Kimberly A. Cornell	"	"
Arifa Hassan	"	"
R. Mackelwer	38 Rosesteel Ct.	21234
Robert P. Lambros	84 Rose Valley Cr.	21234
A.N. Deroucamp	218 Forester Glen Rd	21231
Michael F. Thomas	1 Rothman Ct.	21236
Carol Apple	6 Blessing Ct	21234
Scott Bell	52 Trav Wood Rd	21234
Shirley Hales	8715 Wren Cr	21234
William Cummings	4807 Sunbrook	21206
Diane Doyle	8403 Nunley Ln	21234
Ellen I. Hall	4305 Manorwood Dr	21057
Paul Guggi	1826 Cromwood Rd	21234
John Guggi	14 Perry Falls Pl	21236
John Hallenbeck	9K Spindrift Cr	21234

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

<u>NAME</u>	<u>ADDRESS</u>	
Diana M. Cockeill		
Beverly White		
Timothy J. Amos		
BEVERLY McGowan		
Mary Shuchell		
Mathew D. Holt		
MARK MULHERIN	9506 OAK BRANCH WAY	
Timothy George		
Kendra Proebus	4320 Collington Rd	21236
Wendy Kraft	12 B Fitzgerald Ct	21234
Susan Fernandez	11320 Glen Arm	21057
nancy fozz	2101 Walker ave	21234
John Bugganessa	30 Willow Creek Ct	21234
Stacey Kels	2518 E Joppa Rd	21234
vicky Georgantonis	2403 Jamp Post Ln	21234
Mr Poorbaugh	85 ROGER VACCEY CT	21234

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

<u>NAME</u>	<u>ADDRESS</u>	
Pat Duxler	9466 Bellhall Drive	Balt, MD 21236
Jayne N. Hoss	200 Tall Oaks Rd	Gettysburg, PA 17325
Jim Apostola	26 Manor Springs Ct.	Glenview, IL 60027
Kim Gibbons	3 Chimney hearth ct.	1 MD
BILL MATSON	7 FASTWAY CT	BALTO MD 21234
Cindy Berger	1819 Loch Shield Rd.	Balto 21234
Heather Russell	7 Haylock Ct	21234
Camela Heger	1220 Deamwood Rd.	BALTO, MD 21234
Akara Curran	4310 Greenwood Dr.	BALTO, Md. 21057
Vernon Wilhelm	3302 Glenview Dr.	BALTO, Md. 21234
Ruth Snyder	2719 41st Ave Rd	21034
CHRISTINA WILSON	6759 RAD CLOVER CT	21034
Andrew Zolinski	2925 ANDREA AVE	21234
Denise Dregier	2613 Harwood Rd	21234
MIKE COTTA	9305 CARMY Rd	Balt, Md. 21234
Ellen Wass	9320 Montego Ave	Balto. Md 21234

**PETITIONER'S
EXHIBIT NO. 20**

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

NAME

ADDRESS

Sandra Ricci	3415 Putty Tree.
Debra Sowers	1608 Hardwick Rd.
R. Krause	8826 Blairwood Ct. 21236
John Brown	12-100 Carson Ct.
Joyce Myers	4386 Meadowcuff Dr
Loretta J. Bonarrigo	2226 Rutledge Rd. 21047
Bob Moran	1514 Rolling Rd. 21014
William R. Robey	9408 Magle Rd 21234
Robert Burchett	9226 Bulbeck Rd -21234
Berline S. Hundertmark	9226 Bellbeck Rd 21234
Alvin R. Hill	8929 Carlisle Ave 21236

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

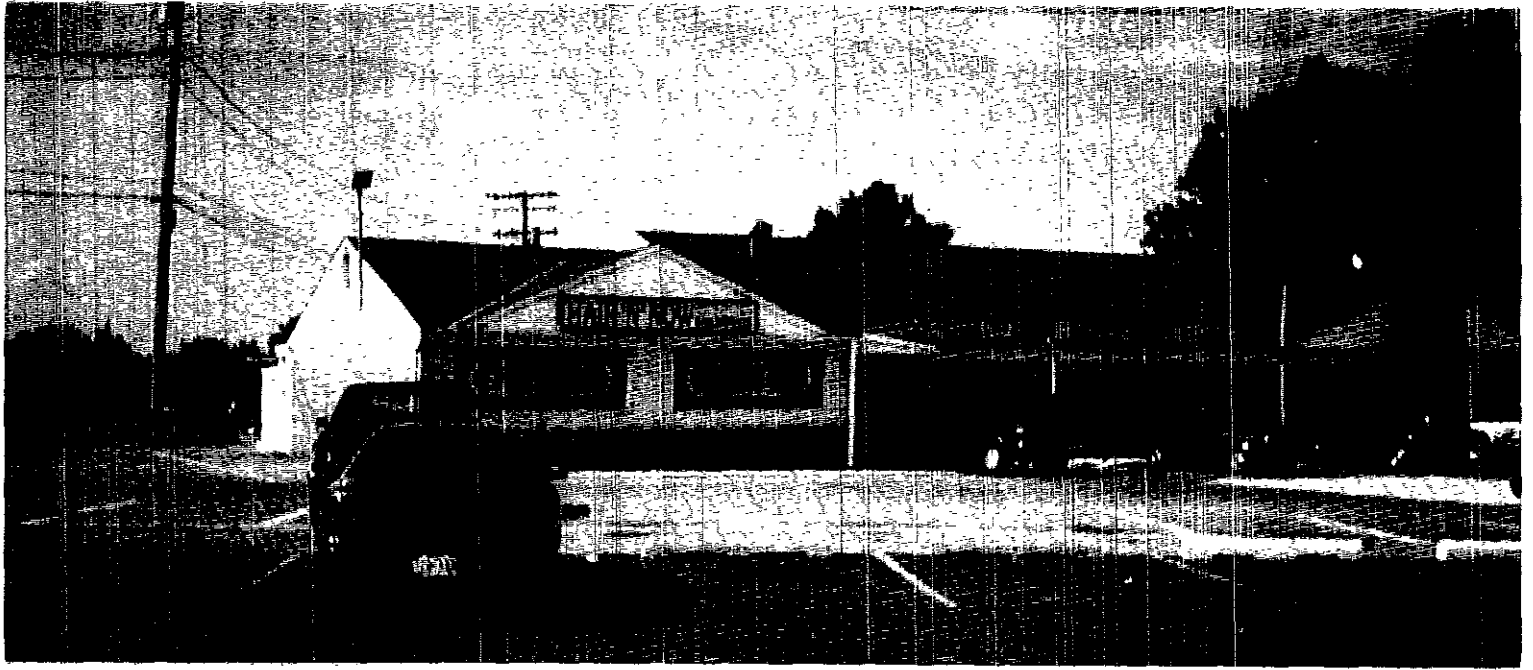
NAME

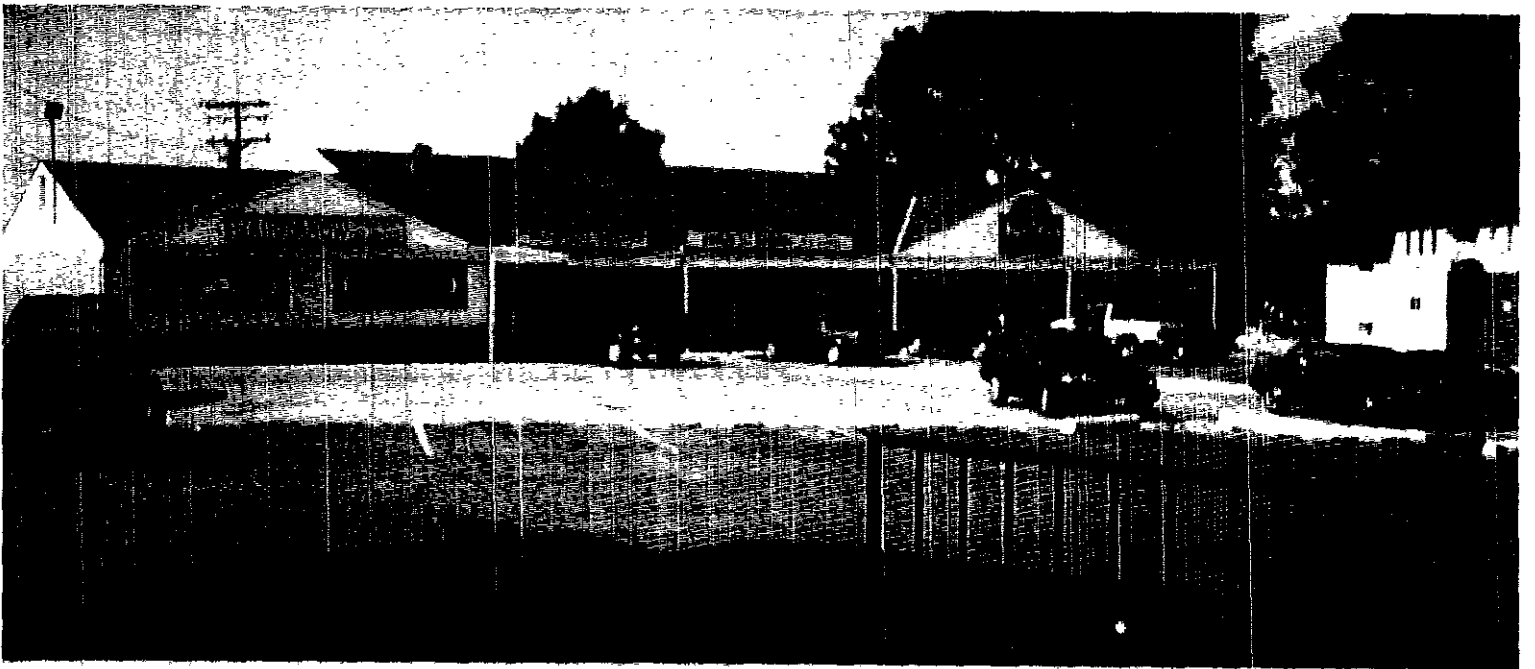
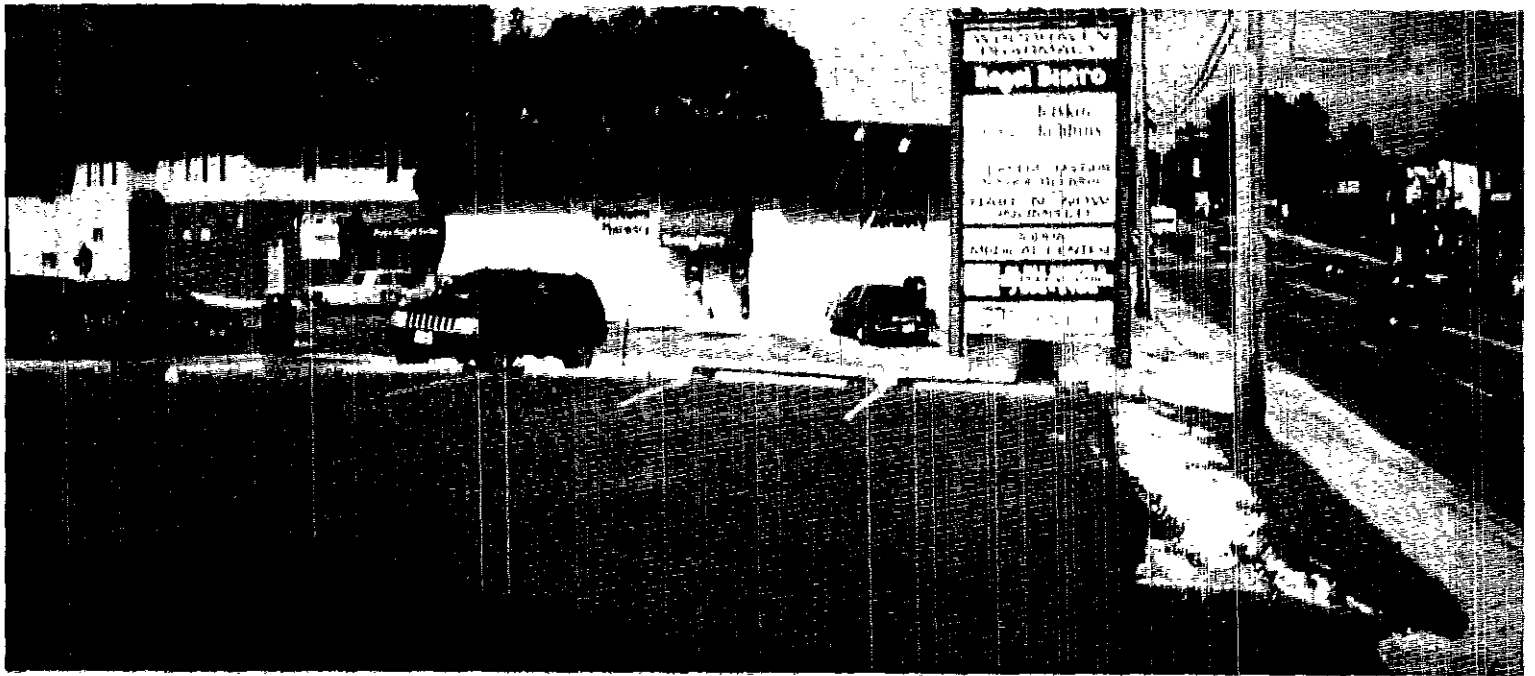
ADDRESS

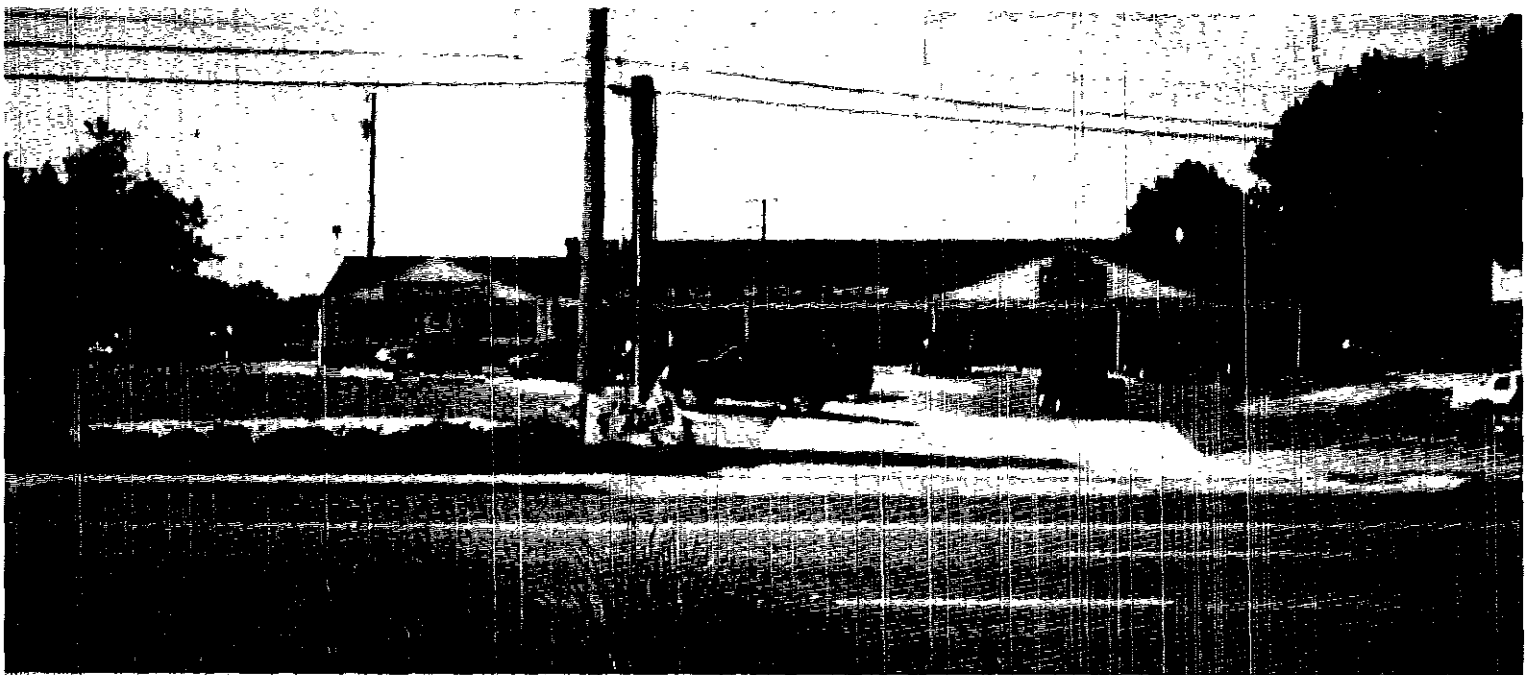
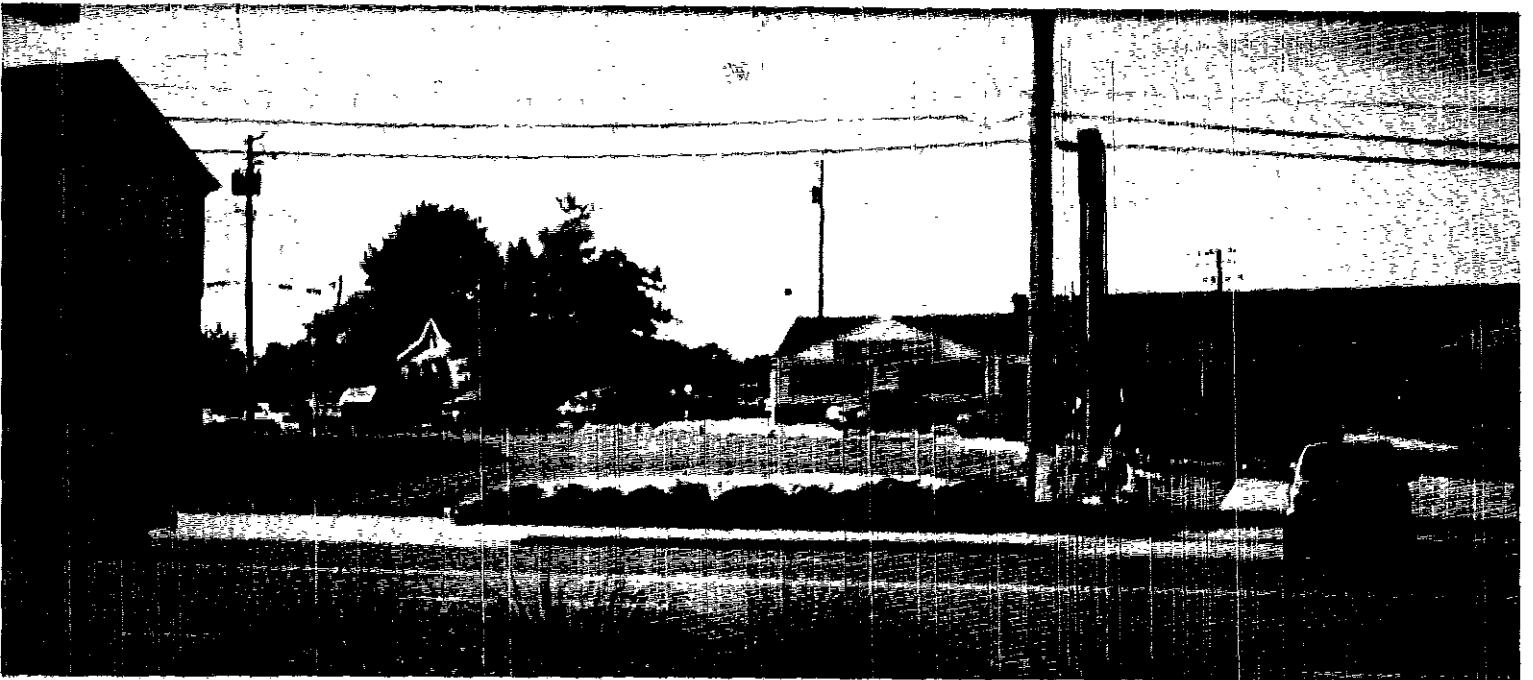
Pat Ward Sr.	2717 Superior Ave	Balto 21239
Veena Imani	9314 Montego Ave	21239
Gage Nowak	Santee Rd	21236
Nancy Chilton	8 Bune Ct	21239
Gloria Burkett	3021 Pellham Ave	21213
Kristen Hamme	9139 Throgmorton Rd	21234
McClain, Louise	8819 Lakewood Rd	21234
Ross Ruppertsberger	2420 Windsor Rd.	21234
Terri Kersigo	2420 Windsor Rd	21234
Sonya Secured	9509 Waltham Woods Rd	21234
Kirsten Willin	1100 METFIELD RD	21280
PAUL WISNIEWSKI	2507 Harwood Rd.	21234
Sandy Loveless	7802 Chestnut Ave	21234
CHARLES L. LOVELESS	7802 CHESTNUT AVE	21234

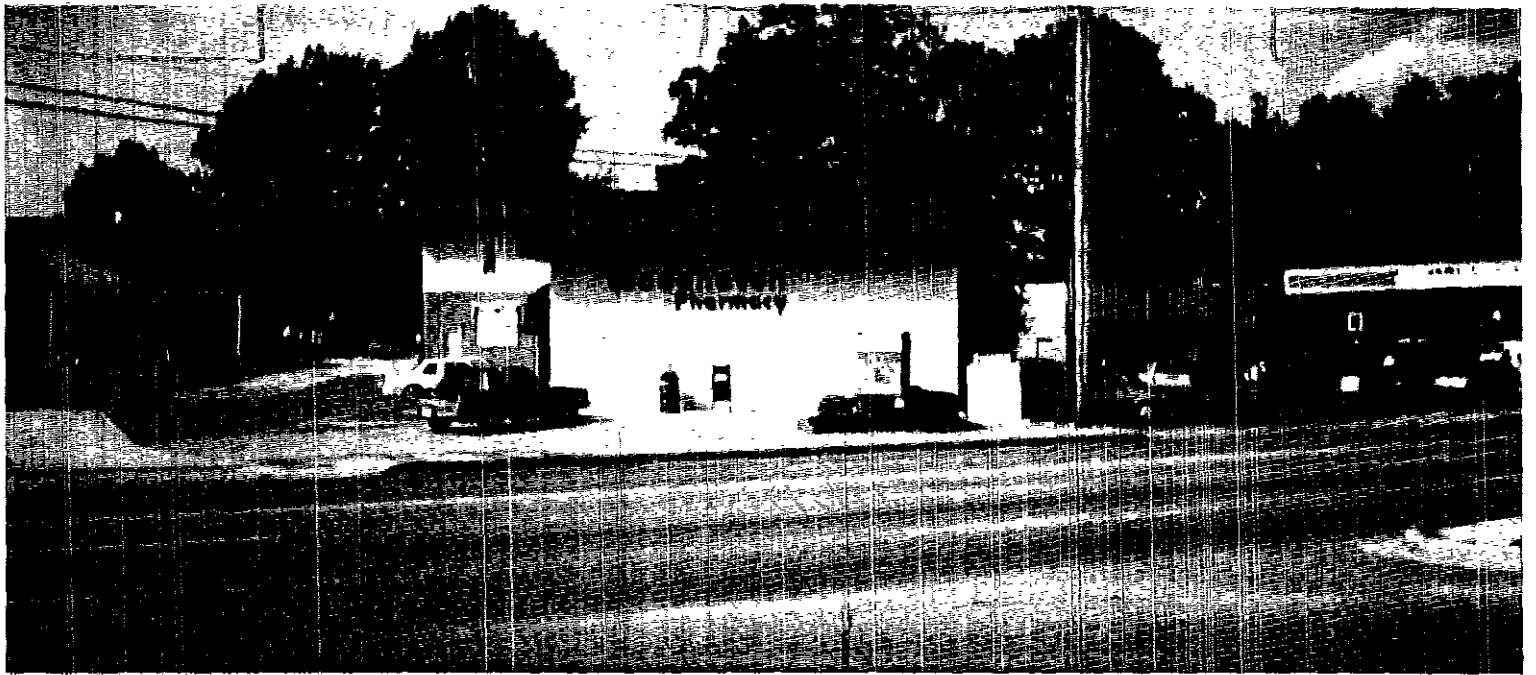
I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of Parking spaces and, therefore, I have no objection to this request.

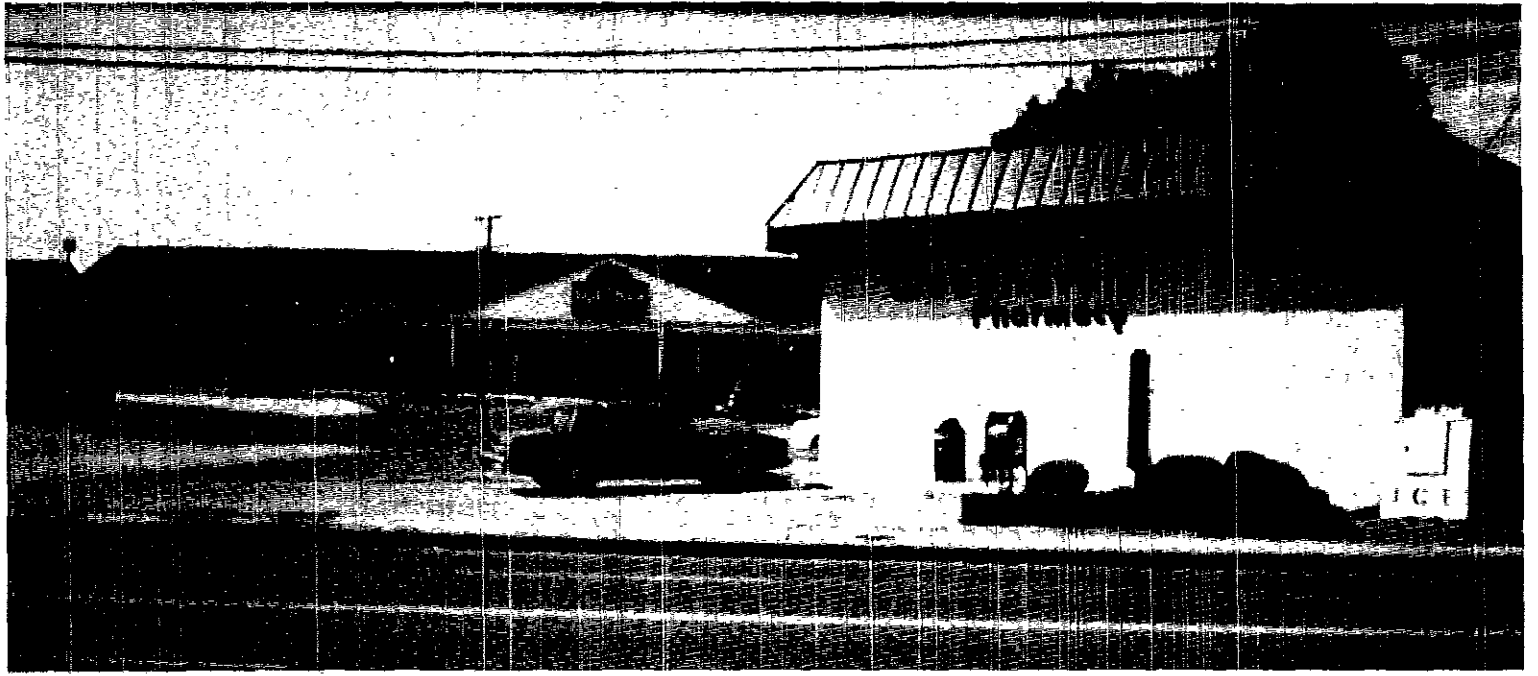
<u>NAME</u>	<u>ADDRESS</u>
Sandra Davis	7210 Hanford Rd. Balto Md 21234
Pat Cashman	8708 Littlewood Rd Balto, MD 21234
Susan Cashman	8708 Littlewood Rd Balto, MD 21234
Maria Davis	2504 Wycliffe Rd Balto, MD 21234
Jim Davis	" "
Chris McGovern	2647 Ebony Rd Balto, MD 21234
Betty Behrhardt	1711 Edgewood Rd Apt 6-F 21234
Mary Jo McNamee	1441 Putty Hill Ave. Balto 21286
John McNamee	1441 Putty Hill Ave Balto 21286
Megan McNamee	1441 Putty Hill Ave Balto 21286
L. Eirys	3016 6 th Ave Balto 21234
Dobbie (Linda) Abow	4704 Hellowing Rd Balto 21206
Sharon Cosgray	2279 Meadow Wood Way Clarksville, MD ²¹²⁰⁹ 21207
Heleen Corry	9204 Commar Rd Balt MD 21220
Walter G. Felt	8747 Lachawanna Ave Balto MD 21234
Douglas Phelps	1 Tree Farm Ct Ellicott City 21037

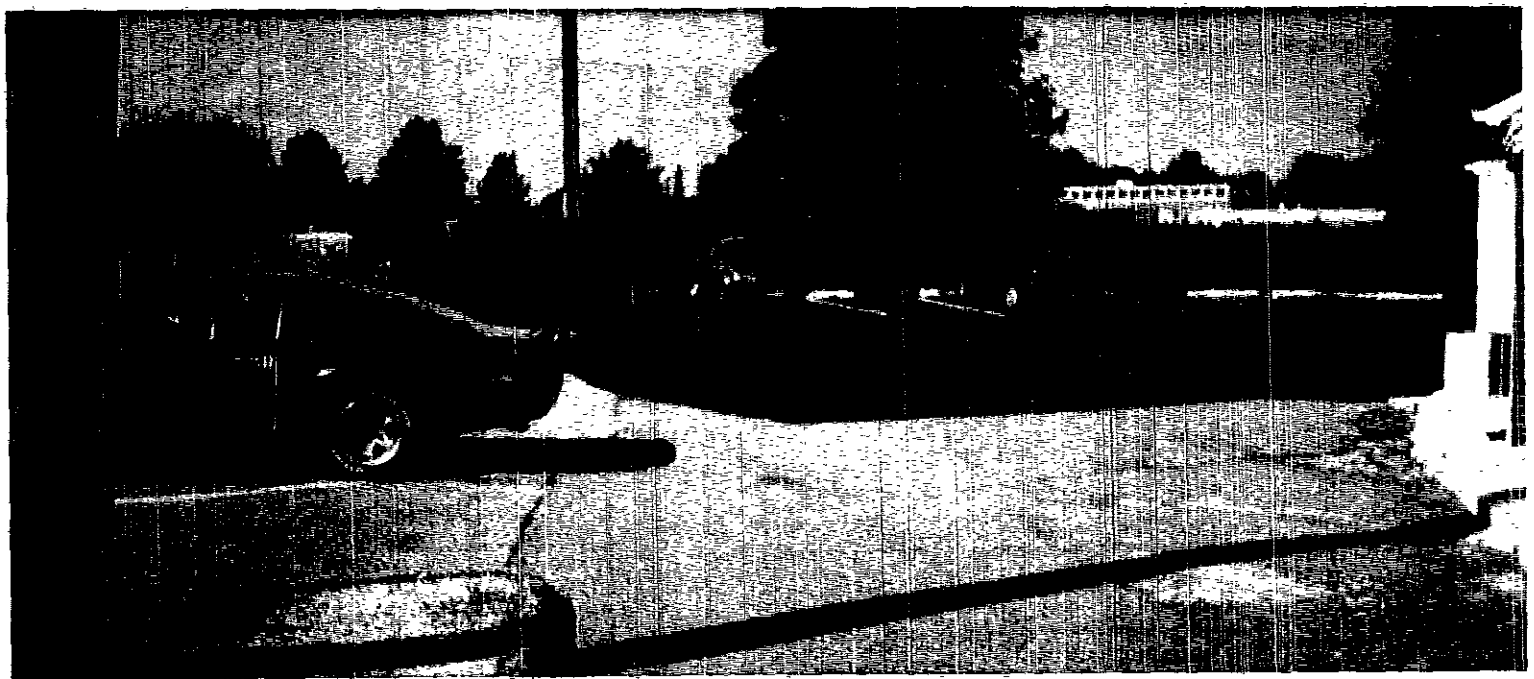
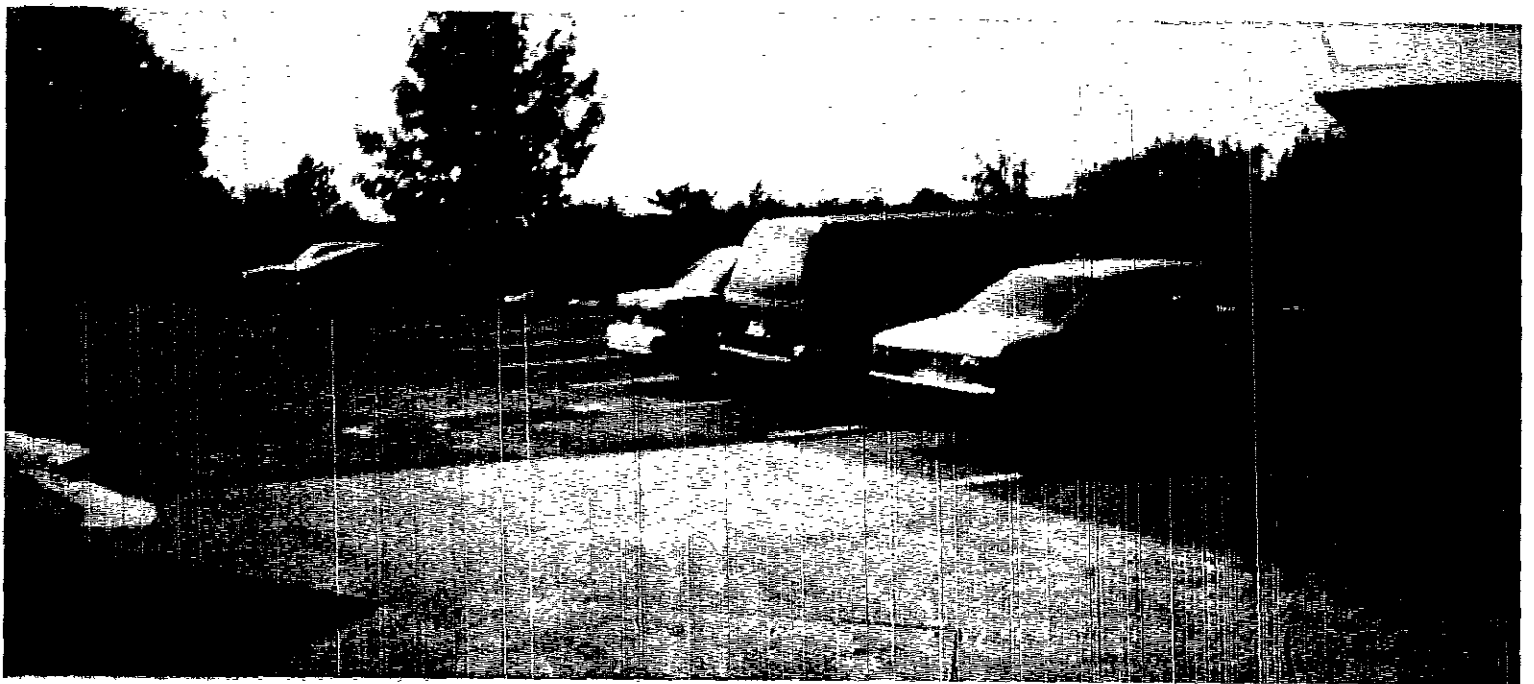


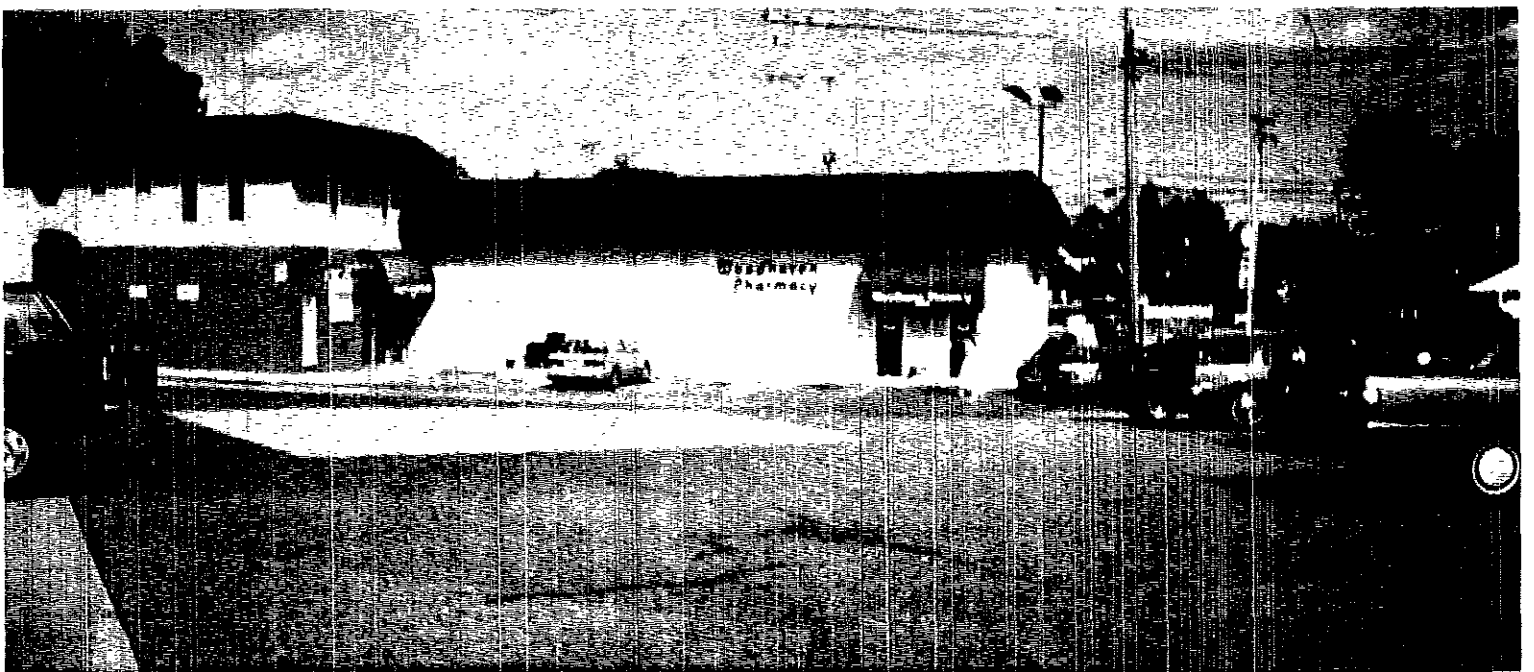
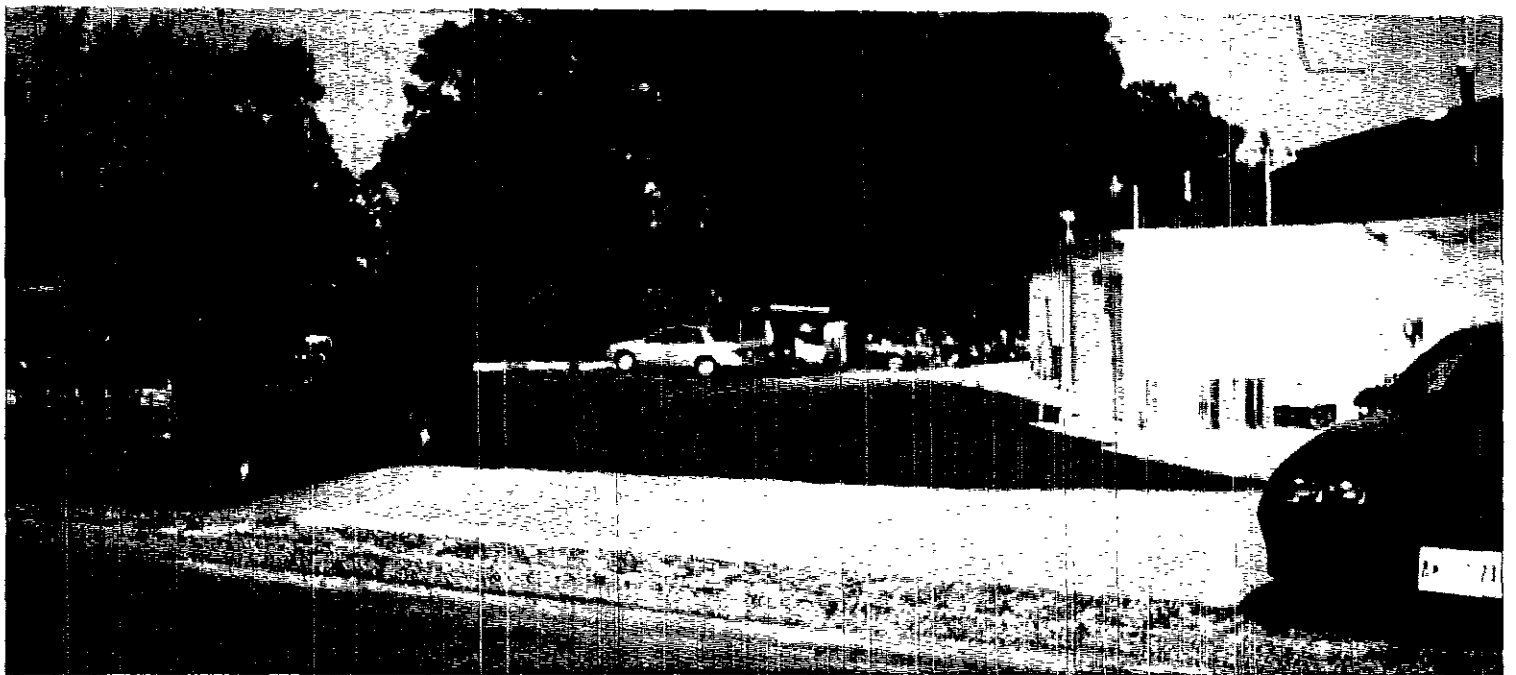












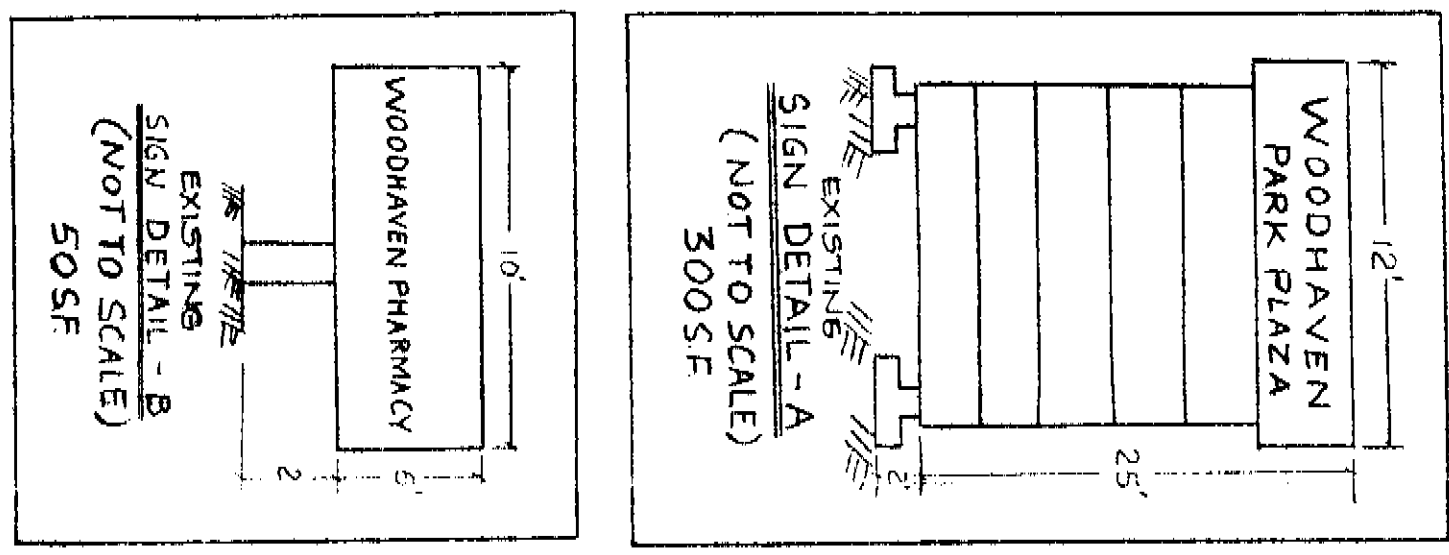
It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of July, 1995 that the Petition for Variance seeking relief from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 71 parking spaces in lieu of the required 98 spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

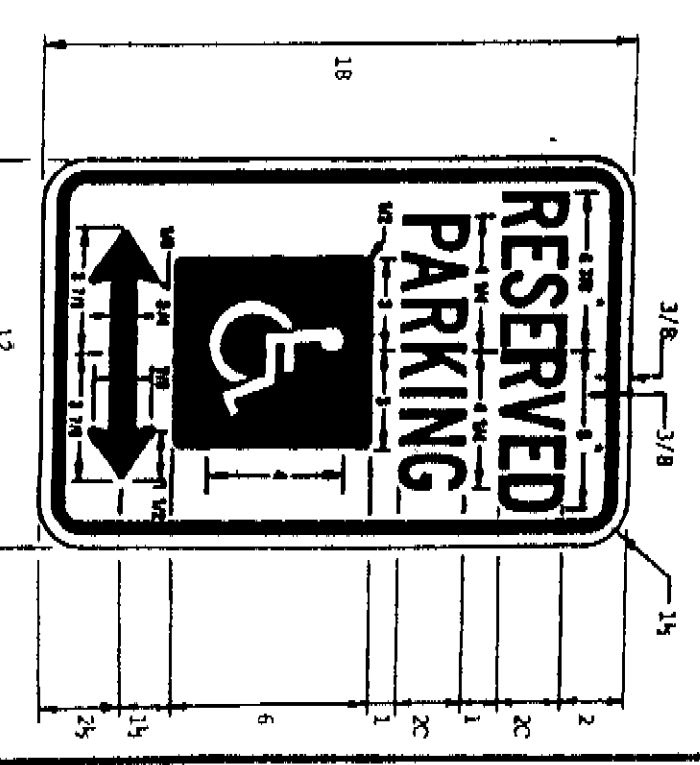
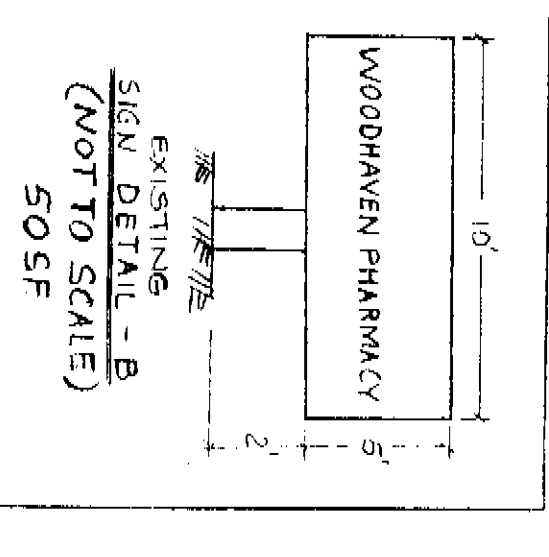
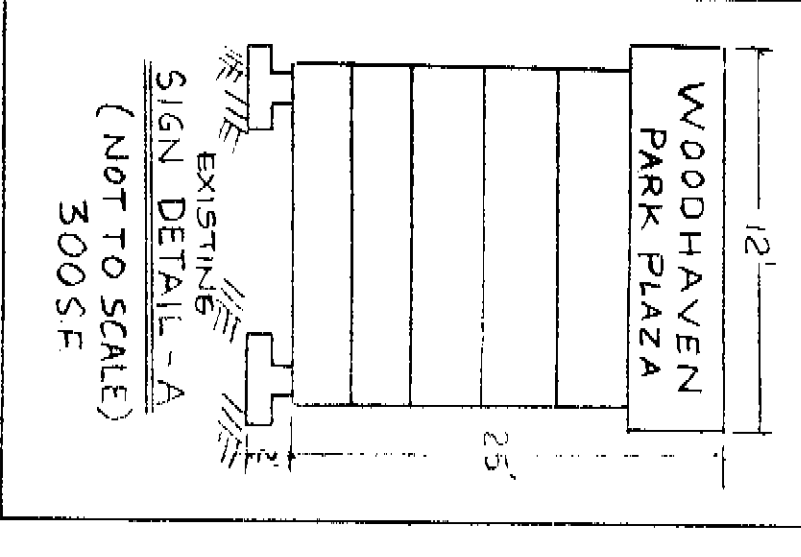
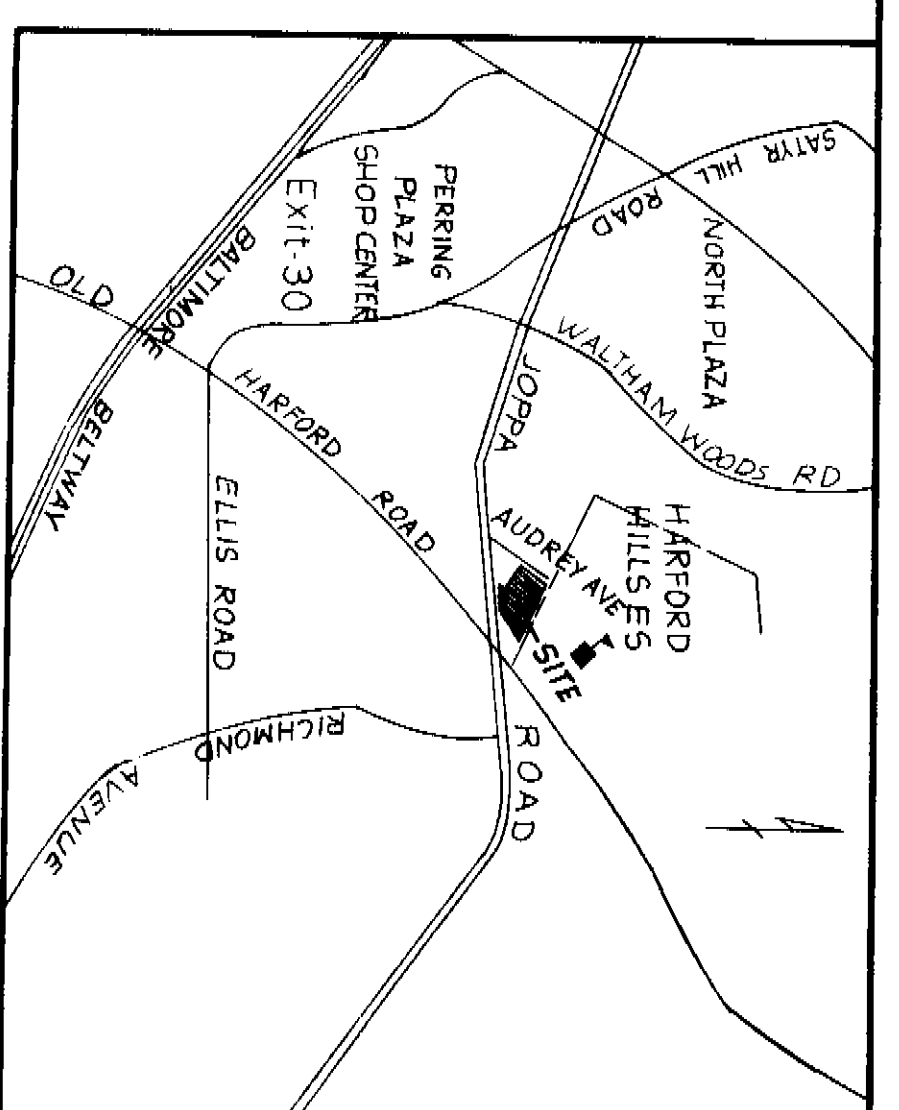
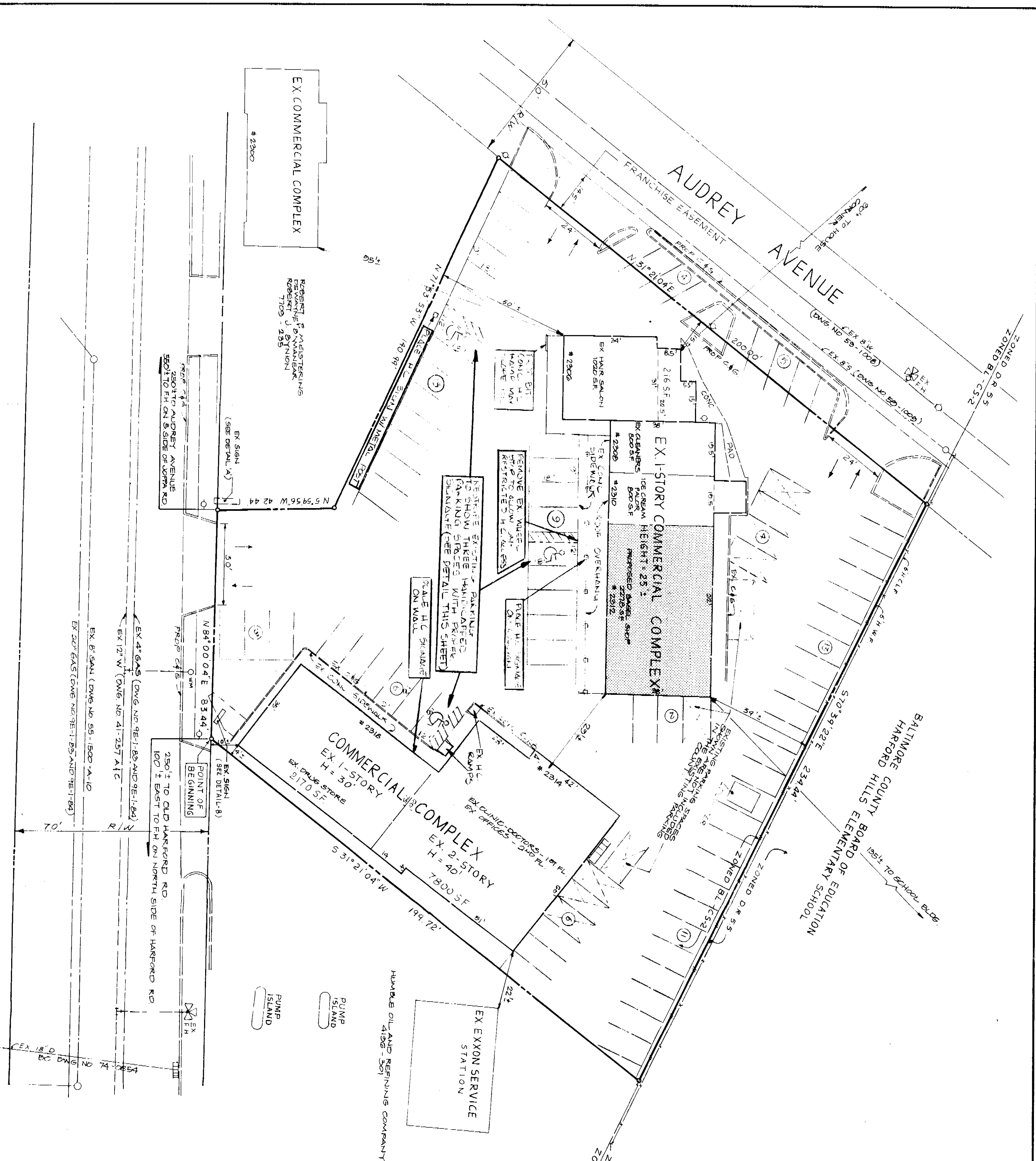
- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Within thirty (30) days of the date of this Order, Petitioners shall submit a revised site plan showing



A map of the Audrey Avenue site area. The map shows several roads: Old Belknap Highway, Baltimore Avenue, Pearing Plaza Shop Center, Exit 30, Harbord Road, North Plaza Road, Waltham Woods Road, Audrey Avenue, and Richmond Avenue. A black square marks the 'AUDREY AVENUE SITE' at the intersection of Audrey Avenue and Harbord Road. A north arrow is located in the bottom right corner.

DECLASSIFIED

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LEGEND AND BOARDING - GREEN
WHITE SIGNAGE
Reference: State of Maryland Standard Highway Sign Book
to be used for Road Construction
Reference: Maryland Department of Transportation
Reference: Maryland Department of Transportation

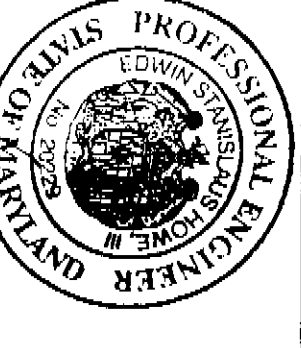
PRINT DATE
AUG 28 1995
K C W CONSULTANTS, INC.

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE

"WOODHAVEN PHARMACY"
Joppa Road

9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

KCW Consultants, Inc.
CIVIL ENGINEERS AND LAND SURVEYORS
3104 TIMANUS LANE
SUITE 100
BALTIMORE, MARYLAND 21244
(410) 281-0030
5-10-95



OWNER/DEVELOPER:
DR. MAYER AND DONNA HANDELMAN
1 GRISTMILL COURT
BALTIMORE, MARYLAND 21208

DATE	DESCRIPTION	REVISIONS
5-1-95	SCALE: 1"=20'	
5-1-95	DATE: 5-1-95	
ML	DESIGNED: ML	
ML	DRAWN: ML	
ML	CHECKED: ML	
ML	DRAWING NO.:	

IN RE: PETITION FOR VARIANCE * BEFORE THE
NW/5 Joppa Road and Audrey Avenue * DEPUTY ZONING COMMISSIONER
(2306 - 2318 Joppa Road
9th Election District
6th Councilmanic District * OF BALTIMORE COUNTY
Mayer Handelman, et ux * Case No. 95-450-A
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2306 thru 2318 Joppa Road, located in the vicinity of Harford Road in Parkville. The Petition was filed by the owners of the property, Mayer and Donna Handelman, through Julius W. Lichter, Esquire. The Petitioners seek relief from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 71 parking spaces in lieu of the required 98 spaces. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Dr. and Mrs. Mayer Handelman, property owners, Paul Thomas, owner of the adjoining Baskin Robbins Ice Cream Store, Mr. & Mrs. Robert Kotula, owners of the Bagel Shoppe, Thomas W. Merrill, owner of the Exxon service station adjacent to the subject property, Edwin Howe, III, Professional Engineer with KCW Consultants, Inc., who prepared the site plan for this project, and Julius W. Lichter, Esquire, attorney for the Petitioners. Appearing as a Protester in the matter was Terri Robel, a resident of Glen Arm.

Testimony and evidence offered revealed that the subject property consists of 1.085 acres, more or less, zoned B.L.-C.S.2 and is the site of the Woodhaven Park Plaza Shopping Center. The property is improved with a

variety of commercial uses including the Woodhaven Pharmacy and adjacent clinic with doctors' offices, and a separate one-story commercial complex consisting of a beauty salon, dry cleaners, ice cream parlor, and Bagel Shoppe, which is the subject of this Petition. The Bagel Shoppe recently commenced operating from the premises approximately one month ago. The owners of the Bagel Shoppe wish to establish a small seating area for their customers within the existing space. Because the Bagel Shoppe occupies approximately 2,278 sq. ft. of space, the requested variance to parking requirements is necessary in order to proceed as proposed. The zoning regulations calculate the number of parking spaces required based on the total square footage of a building, even though in this instance, most of that square footage is used for the cooking and preparation of bagels. In any event, 98 parking spaces are required for this business and the Petitioners are only able to provide 71. Testimony indicated that there is additional parking available at the Exxon station across from the subject site and there is other parking available on-site, however, those spaces do not meet County regulations and therefore, the Petitioners were not credited with them.

The overwhelming testimony of all of the witnesses who were present at the hearing was that there are no parking problems in this shopping center. Testimony indicated that the Bagel Shoppe's peak hours of business are from 6:00 AM to 9:00 AM each morning at which time most of the other businesses in this shopping center are not yet open. Therefore, the Petitioners believe that the parking situation at this location works very well in that the uses within the shopping center generate customers at different times.

- 2 -

Appearing in opposition to the Petitioner's request was Terri Robel. Ms. Robel is concerned that there are no handicapped parking spaces provided for customers. Mr. Howe, the engineer who prepared the plan, testified that three handicapped parking spaces are required for this site but are not shown on the plan. Ms. Robel would like to see these spaces provided on-site.

As noted above, three handicapped parking spaces are required for this site. Therefore, as a condition of approval the Petitioners shall be required to provide these three parking spaces and a revised site plan shall be submitted depicting the location of same within thirty (30) days of the date of this Order.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

- 3 -

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2/5th day of July, 1995 that the Petition for Variance seeking relief from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 71 parking spaces in lieu of the required 98 spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Within thirty (30) days of the date of this Order, Petitioners shall submit a revised site plan showing

- 4 -

the location of the three handicapped parking spaces required.

- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

July 21, 1995

(410) 887-4386

Julius W. Lichter, Esquire
305 West Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
NW/5 Joppa Road and Audrey Avenue
(2312 Joppa Road)
9th Election District - 6th Councilmanic District
Mayer Handelman, et ux - Petitioners
Case No. 95-450-A

Dear Mr. Lichter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Dr. & Mrs. Mayer Handelman
1 Grist Mill Court, Baltimore, Md. 21208

Ms. Terri Robel
4608 Copperwood Lane, Glen Arm, Md. 21057

Mr. Edward S. Howe, III, KCW Consultants, Inc.
3104 Timanus Lane, Suite 101, Baltimore, Md. 21244

People's Counsel; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2306 thru 2318 Joppa Road which is presently zoned B1-CS-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

409.6.A.2 to permit 71 parking spaces in lieu of the required 98

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s): (indicate hardship or practical difficulty)

Unusual shape of the lot and other reasons to be presented at the public hearing

Property is to be used and advertised as prescribed by Zoning Regulations. I or we agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

Type or Print Name

Signature

Address

City State Zip

Signature for Petitioner

Type or Print Name

Address

City State Zip

Signature

Type or Print Name

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City State Zip

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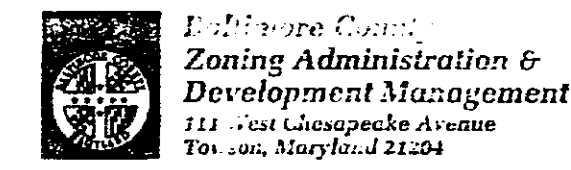
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 4/17/95
Posted for: Variance
Petitioner: Mayer & Donna Handelman
Location of property: 2306-2318 Joppa Rd., 4th
Location of Signs: Front roadway, on property being zoned
Remarks: None
Posted by: [Signature] Date of return: 4/23/95
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/22, 1995
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/22, 1995.

[Signature]
THE JEFFERSONIAN,
LEGAL AD., TOWSON



receipt
95-450-A
Date: 6/7/95
Account: R-001-6150
Number: 443 (WCR)
DROP-OFF NO REVIEW
#020 - VARIANCE \$250.00
#080 - SIGN POSTING 25.00
TOTAL \$285.00

Legal Owner: Mayer Handelman & Donna Handelman
2306-2318 Joppa Road
"Woodhaven Pharmacy"
District: 9c6
Zoning: B.L.-C.S.-2
47,255 square feet
Attorney: Julius W. Lichter

check from Levin & Gann PA
03A03H0078MICHRC
B6 C00244SPMD4-07-95
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS AND PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

For newspaper advertising:

Case No.: Item No.: 443

Petitioner: DR. & MRS. MAYER HANDELMAN

LOCATION: 2306 thru 2318 Joppa Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MAYER HANDELMAN

ADDRESS: 1 Grist Mill Court

Baltimore, MD 21208

PHONE NUMBER: 337-9510

AJ:ggg
(Revised 3/29/93)

TO: FOTUDENT PUBLISHING COMPANY
June 22, 1995 Issue - Jeffersonian

Please forward billing to:

Mayer Handelman
1 Grist Mill Court
Baltimore, MD 21208
337-9510

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-450-A (Item 443)
2306-2318 Joppa Road - Woodhaven Pharmacy
R/S Joppa Road, also SE/S Audrey Avenue, W of Harford Road
9th Election District - 6th Councilmanic
Legal Owner(s): Mayer Handelman and Donna Handelman
HEARING: FRIDAY, JULY 7, 1995 at 3:00 p.m. in Room 106, County Office Building.
Variance to permit 71 parking spaces in lieu of the required 98.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 15, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-450-A (Item 443)
2306-2318 Joppa Road - Woodhaven Pharmacy
R/S Joppa Road, also SE/S Audrey Avenue, W of Harford Road
9th Election District - 6th Councilmanic
Legal Owner(s): Mayer Handelman and Donna Handelman
HEARING: FRIDAY, JULY 7, 1995 at 3:00 p.m. in Room 106, County Office Building.

Variance to permit 71 parking spaces in lieu of the required 98.

Arnold Jablon
Director

cc: Mayer and Donna Handelman
Julius W. Lichter, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 30, 1995

Julius W. Lichter, Esquire
305 W. Chesapeake Ave., Suite 113
Towson, Maryland 21204

RE: Item No.: 443
Case No.: 95-450-A
Petitioner: M. Handelman, et ux

Dear Mr. Lichter:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 7, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director DATE: June 26, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for June 26, 1995
Item No. 443

The Development Plans Review Division has reviewed the subject zoning item. Audrey Avenue is an existing road, which shall ultimately be improved as a 30-foot street cross-section on a 50-foot right-of-way.

Entrances to the commercial site will be per Department of Public Works Standard Plate R-22, Single Commercial Entrance.

PWB:aw

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director, ZADM DATE: June 19, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 2306-2318 Joppa Road

INFORMATION:

Item Number: 443

Petitioner: Handelman Property

Property Size:

Zoning: BL-CS-2

Requested Action: Variance

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to permit 71 parking spaces in lieu of the required 98.

A site visit at the subject property revealed no parking shortage on June 16, 1995 at 11:30 A.M.

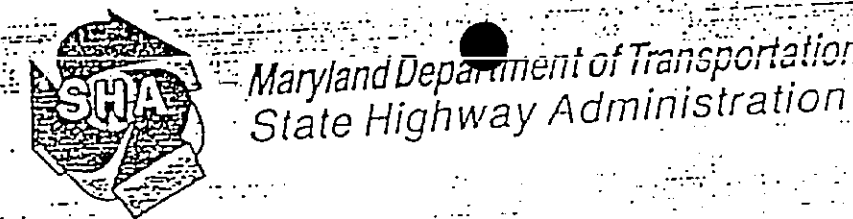
Staff supports the applicant's request; however, it is recommended that the plan accompanying the petition be amended to indicate that the area of parking to the rear of the commercial complex be utilized for employee use.

Prepared by: [Signature]

Division Chief: [Signature]

PK/JL

ITEM443/PZONE/ZAC1



O. James Lighthizer
Secretary
Hal Kaseoff
Administrator

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 443 (WCR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 06/14/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JUNE 19, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 441, 442, 443, 444, 445, 446, 447, 448 AND 449.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3333

June 19, 1995

Julius W. Lichter, Esquire
305 West Chesapeake Avenue
Suite 113
Towson, MD 21204

RE: Preliminary Petition Review (Item # 443)
Legal Owner: Mayer & Donna Handelman
2306-2318 Joppa Road
Woodhaven Pharmacy
9th Election District

Dear Mr. Lichter:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

- On the petition form where the zoning classification is placed, there is a type-error. It should read "B.L." instead of "B1".
- The variance should also mention the existing parking within and close to the street right-of-way. Legal parking adds up to 59 parking spaces.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

Mitchell J. Kellman
Mitchell J. Kellman
Planner II

Enclosure (receipt)

c: Zoning Commissioner

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 12, 1995

Julius W. Lichter, Esquire
Levin & Gann
305 W. Chesapeake Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
NW/S Joppa Road & Audrey Avenue
(2306-2318 Joppa Road)
9th Election District - 6th Councilmanic
Mayer Handelman, et ux - Petitioners
Case No. 95-450-A

Dear Mr. Lichter:

This letter is to confirm that on September 6, 1995, this Office received a revised site plan, dated August 15, 1995, which incorporated the proposed handicapped parking spaces for this project, as required by my Order issued July 21, 1995.

Please be advised that this revised plan meets the requirements of Restriction 2 of my Order and thus, has been approved and incorporated into the case file.

Should you need any further information on the subject, please do not hesitate to contact me.

Very truly yours,

Timothy H. Kotroco
TIMOTHY H. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

THK:bjs

cc: Case File

Printed with Soybean Ink
on Recycled Paper

RE: PETITION FOR VARIANCE
2306-2318 Joppa Road (Woodhaven Pharmacy)
N/S Joppa Road, also S/S Audrey Avenue,
W of Harford Road, 9th Election District,
6th Councilmanic
Mayer and Donna Handelman
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-450-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of June, 1995, a copy of the foregoing Entry of Appearance was mailed to Julius W. Lichter, Esquire, 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-0050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-0600
TELECOPIER 410-296-2801

KATHRYN T. MAY

June 6, 1995

HAND-DELIVERY

Arnold Jablon, Director
Zoning Administration & Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Variance
2306 thru 2318 Joppa Road
Petitioner: Mayer Handelman

Dear Mr. Jablon:

Please accept the enclosed Petition for Variance as a "drop-off" filing. A check for \$285 (\$250 filing fee, plus \$35 for the sign) is enclosed. Please call me, or Julius Lichter, with any questions.

Sincerely,

Kathryn T. May
Kathryn T. May

enclosures

RECEIVED
JUN 8 1995
ZADM

KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timonius Lane, Suite 101
BALTIMORE, MARYLAND 21244

(410) 281-0030 281-0033

LETTER OF TRANSMITTAL

DATE: 6/15/95 JOB NO: 28130
ATTENTION: TIM KOTROCO
TO: DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY
SUITE 112 COURTHOUSE
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
RE: WOODHAVEN
PHARMACY
CASE NO. 95-450-A

WE ARE SENDING YOU ☐ Attached ☐ Under separate cover via _____ the following items:
☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐

COPIES	DATE	NO.	DESCRIPTION
2			REVISED PLAN SHOWING PROPOSED HANDICAPPED PARKING SPACES PER ORDER OF CASE 95-450-A

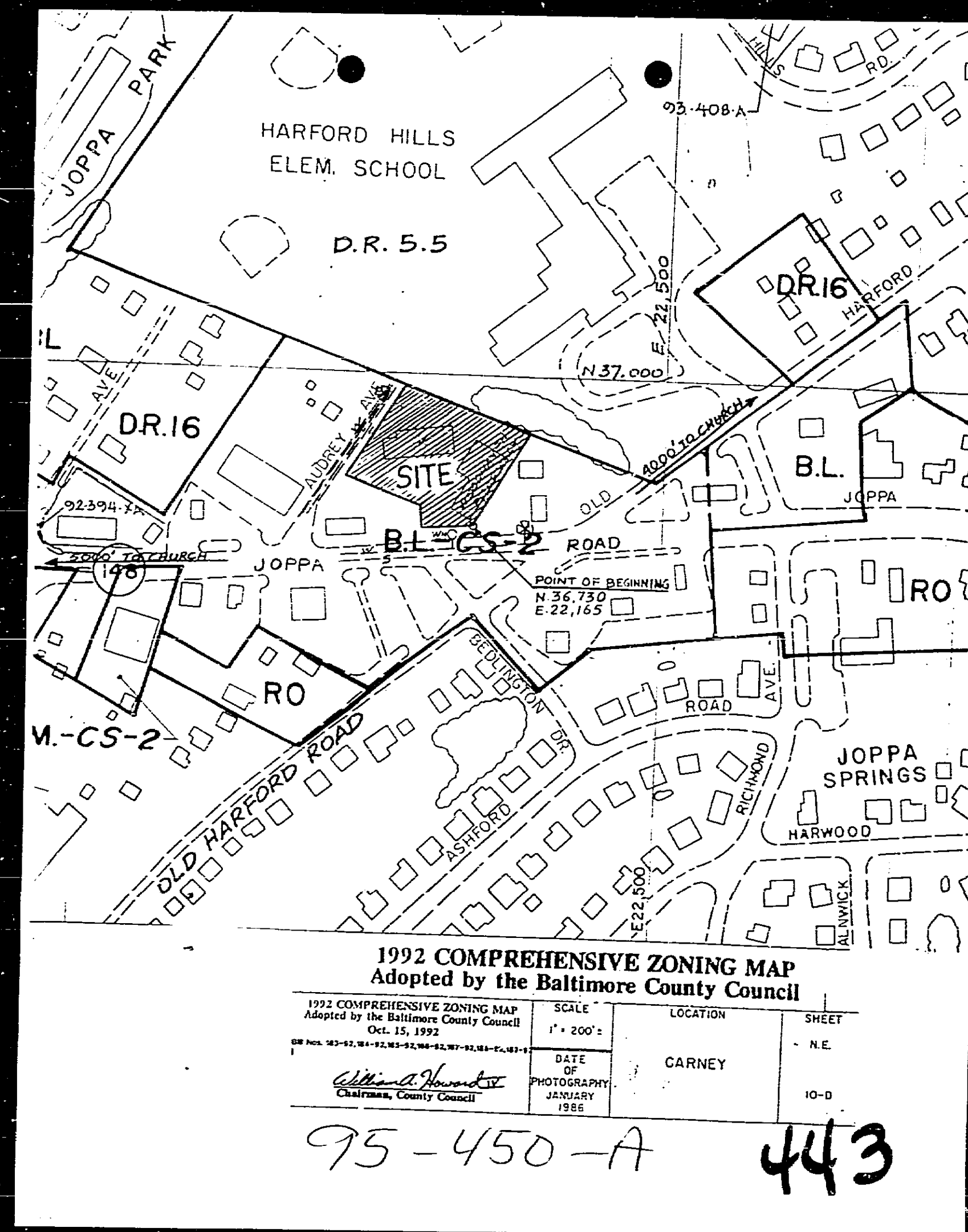
THESE ARE TRANSMITTED AS CHECKED BELOW:

☒ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☒ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS

COPY

SIGNED: *Julius W. Lichter*
or as noted, kindly notify us at once.



PLEASE PRINT CLEARLY

BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET

NAME	ADDRESS
EDWIN S. HOWE III	KCW CONSULTANTS INC 3104 TIKANUS LANE ST 101 BALT MD 21244
Paul Thomas	3315 Appleton Ave 21234
Anna Handman	1 Chestnut St 21234
Mayer Handman	1 Chestnut St 21234
Thomas U. Meek	2320 E. Joppa Rd 21234

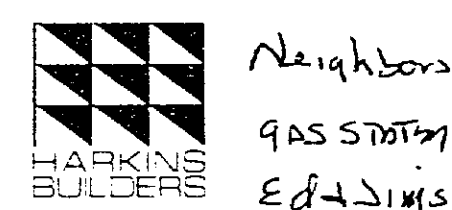
PLEASE PRINT CLEARLY

Protestant
SIGN-IN SHEET

NAME	ADDRESS
TEORI ROBEL	4609 CORDELLWOOD LANE GREEN SPRING MD 21037

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of parking spaces and, therefore, I have no objection to this request.

NAME	ADDRESS
Paul Thomas	3315 Appleton Ave 21234
Anna Handman	1 Chestnut St 21234
Mayer Handman	1 Chestnut St 21234
Thomas U. Meek	2320 E. Joppa Rd 21234

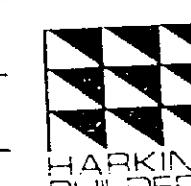


Neighbors
945 STATION
EDWARDS

PETITIONER'S
EXHIBIT NO. 24

I am a tenant at Woodhaven Park Plaza. I understand that the owner of the shopping center has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98 spaces. I have no objection to this request because I believe that there is a sufficient number of parking spaces to accommodate all the tenants and our respective customers.

NAME	ADDRESS
Paul Thomas	3315 Appleton Ave 21234
Anna Handman	1 Chestnut St 21234
Mayer Handman	1 Chestnut St 21234
Thomas U. Meek	2320 E. Joppa Rd 21234



Neighbors
945 STATION
EDWARDS

PETITIONER'S
EXHIBIT NO. 28

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of parking spaces and, therefore, I have no objection to this request.

NAME	ADDRESS
Nadia Kiani	9314 MONTGOMERY AVE
Amey Chinn	72 GRAVESWOOD CT
John Eickhardt	32 MONTGOMERY CT
Charles Whitworth	8703 LITTLEWOOD RD
Robert V. Venable	2718 SUPERIOR AVE
Dawn & Patterson	2406 SUMMIT AVE
James McDonald	9005 PULASKI RD
John McDonald	4 BROADWAY CT
John McDonald	1000 JOPPA RD
John McDonald	9204 THORNTON RD
John McDonald	7921 BEVERLY AVE
John McDonald	9 TOWN CT 21236
John McDonald	1111 KENNEDY RD 21234
John McDonald	20714 LAMAR RD 21234
John McDonald	6 CORNWELL AVE 21234
John McDonald	5 HOBAN CT BALTIMORE, MD 21236

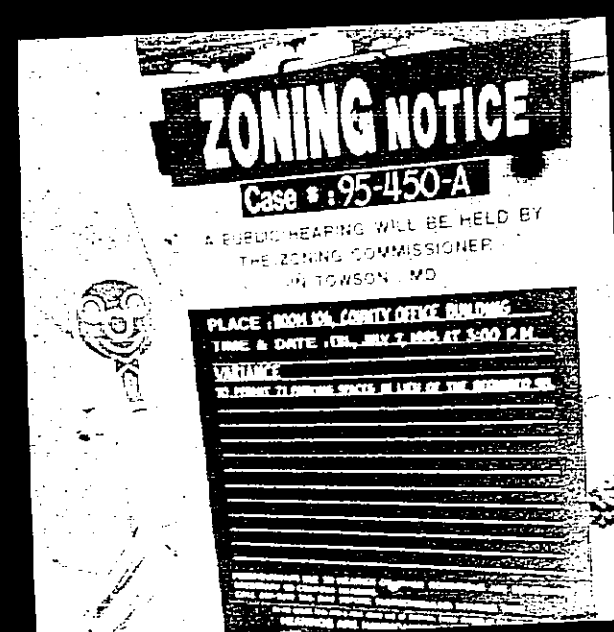
PETITIONER'S
EXHIBIT NO. 20

I understand that the owner of Woodhaven Park Plaza has petitioned the Baltimore County Zoning Commissioner for a parking variance to permit 71 parking spaces in lieu of the required 98. I understand that there will not be a reduction in the existing number of parking spaces and, therefore, I have no objection to this request.

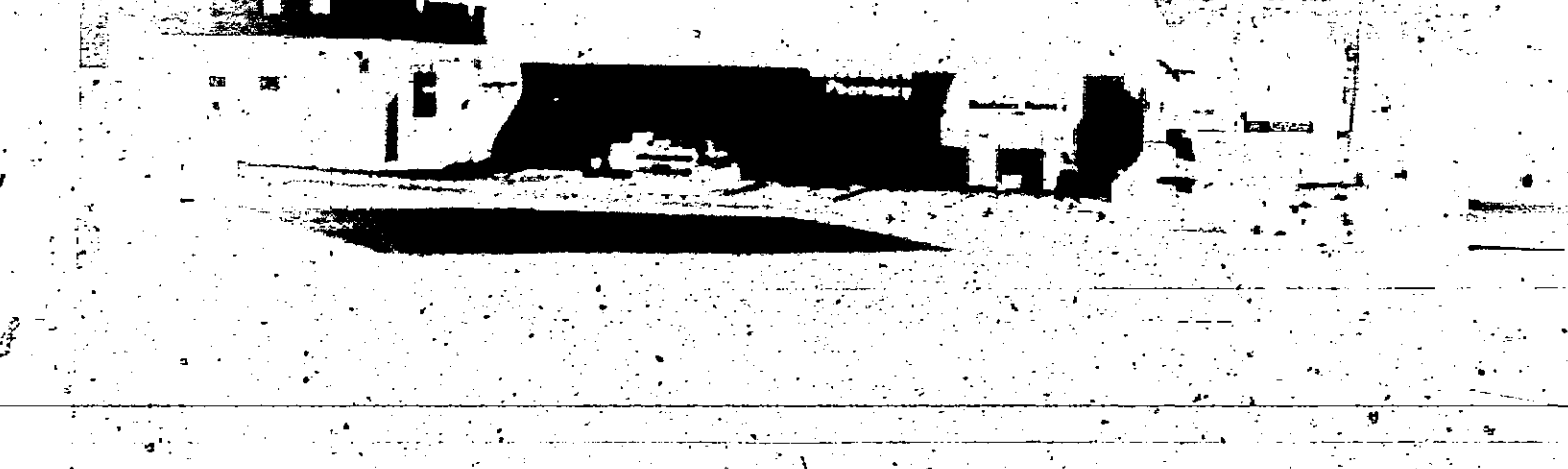
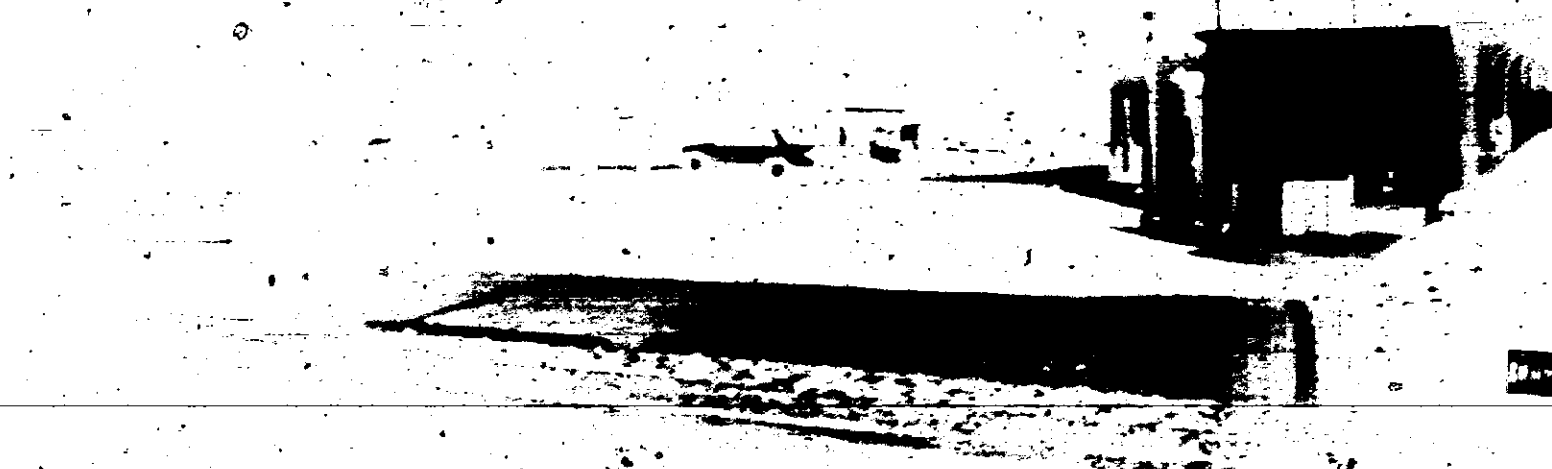
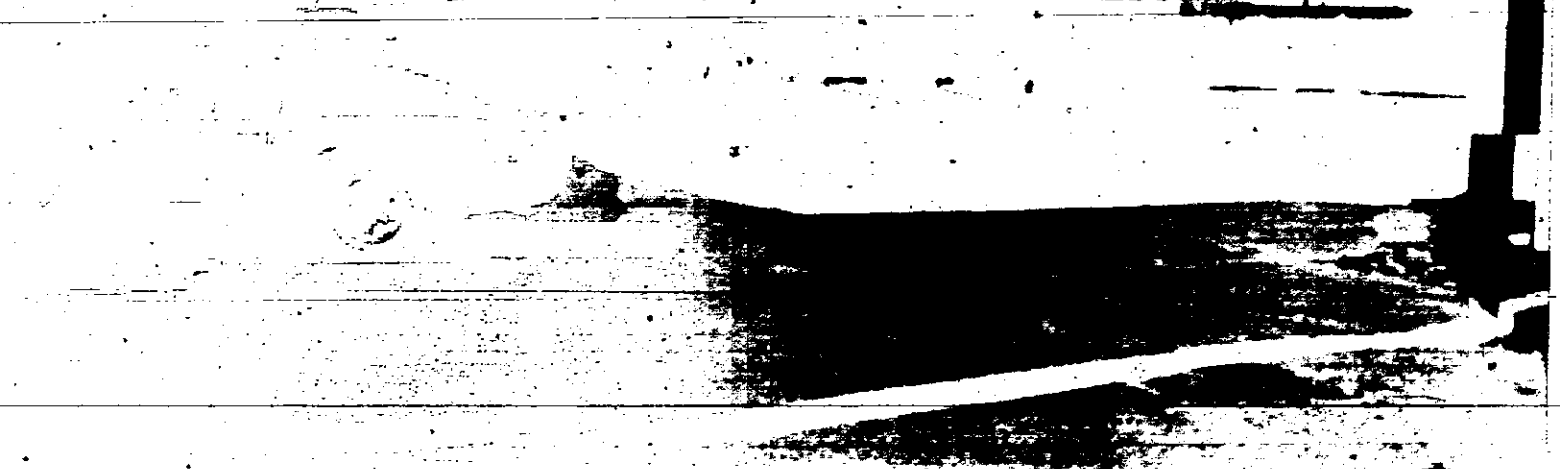
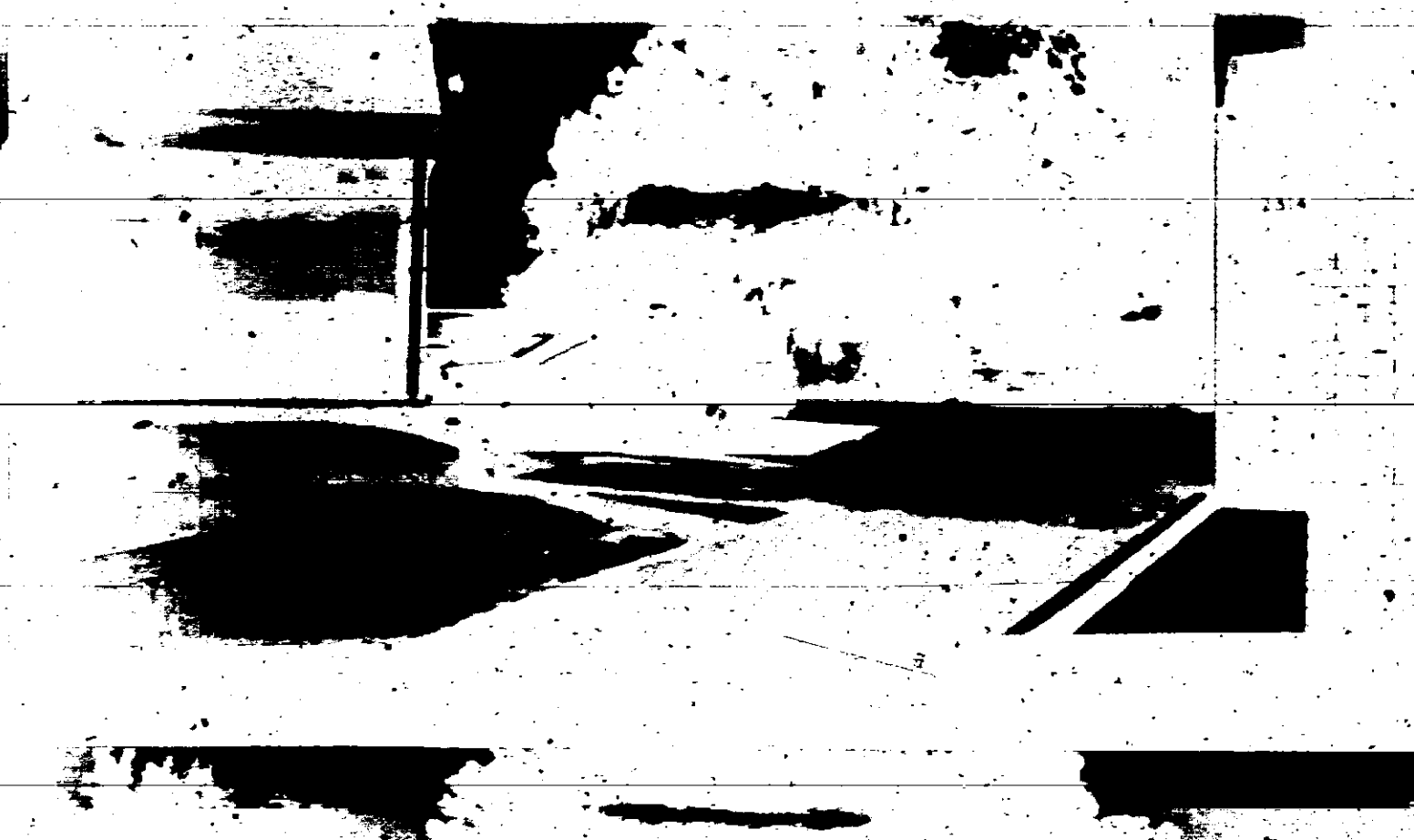
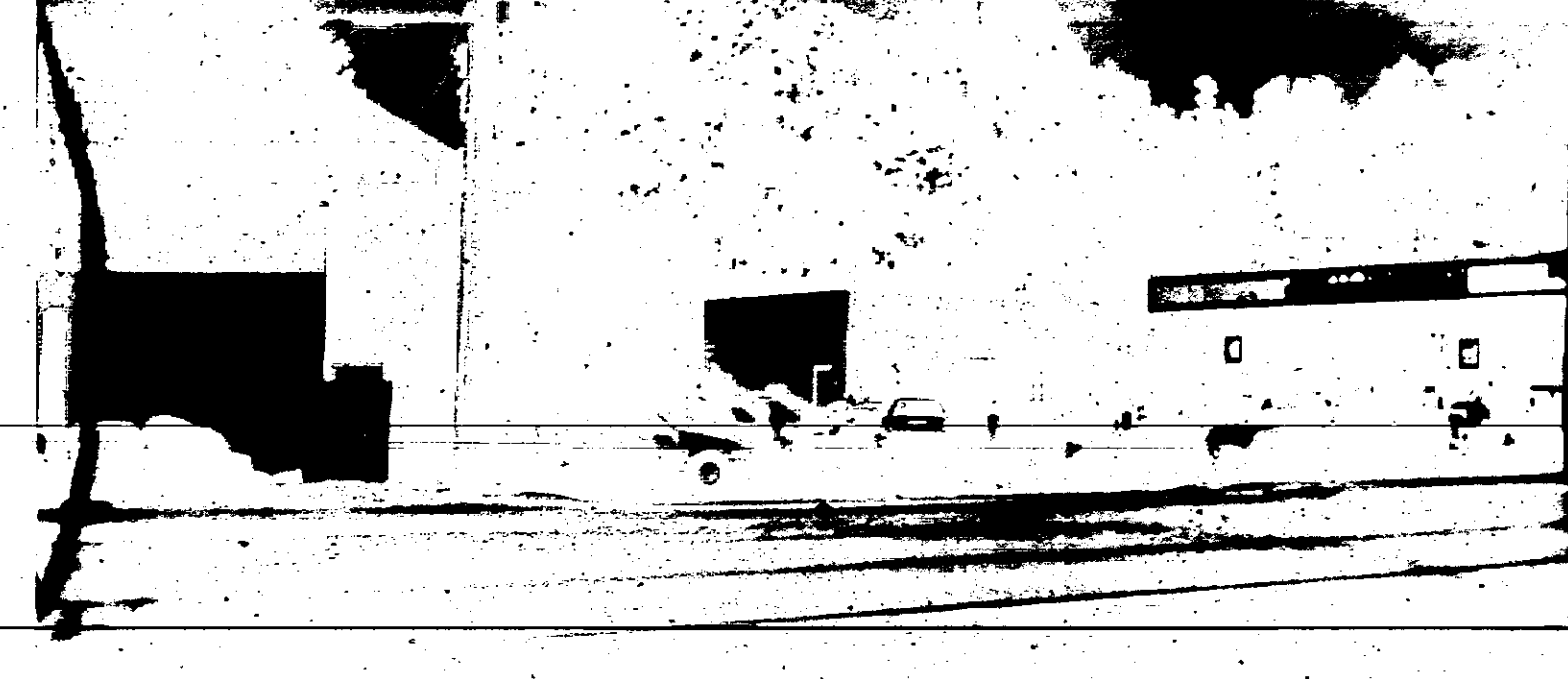
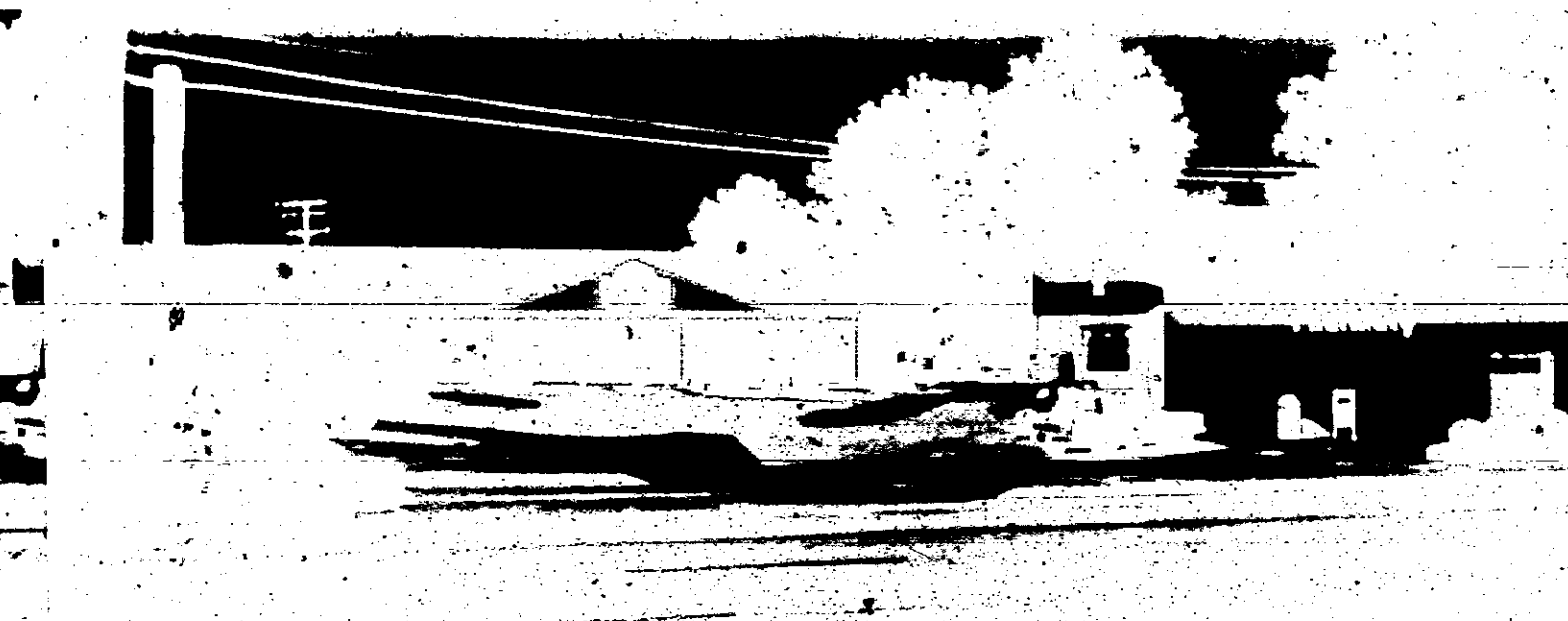
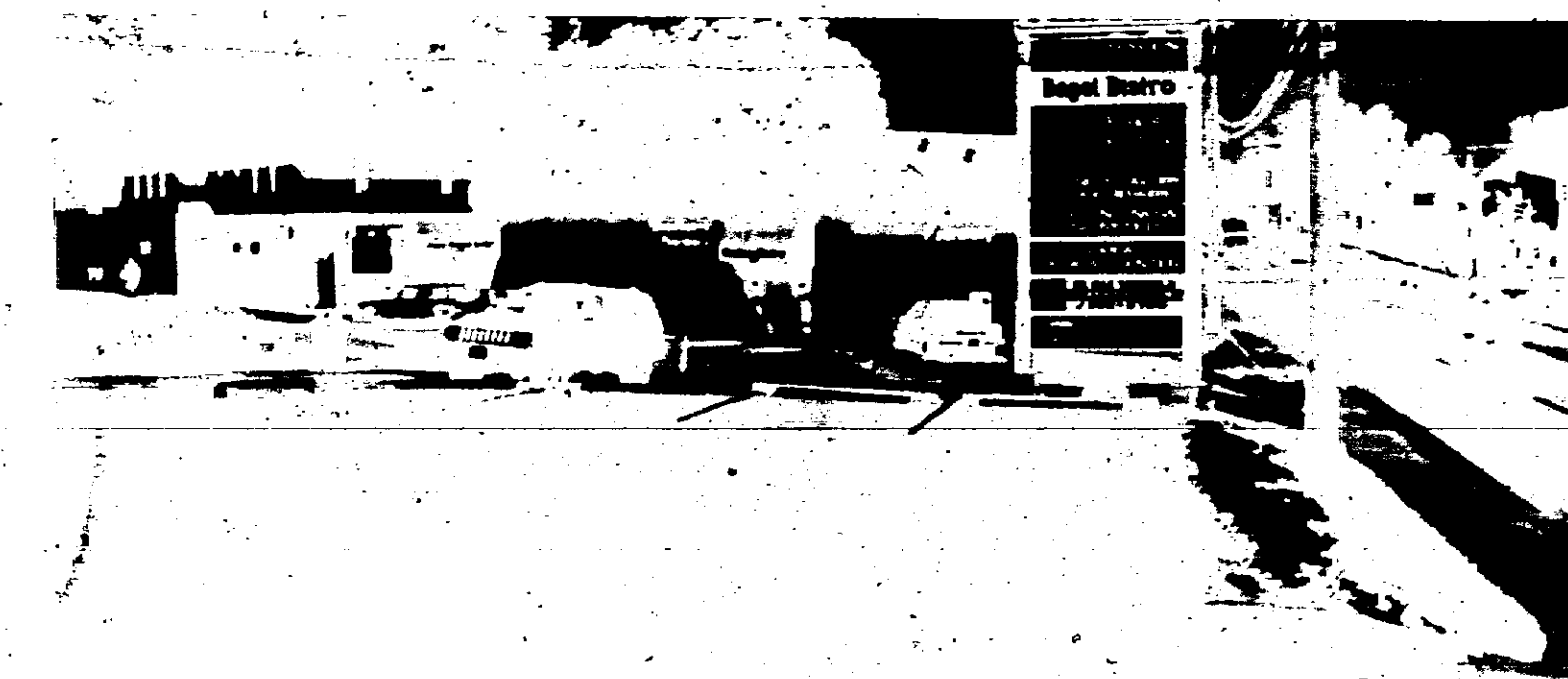
NAME	ADDRESS
Pat Duxler	9406 Bellvue Drive Balt MD 21236
John N. Jones	200 Oak Oaks Rd Catonsville MD 21035
John N. Jones	76 Maple Springs Ct. Glenview MD 21037
John N. Jones	3 Chimney Heights Ct. MD
John N. Jones	7 KATHWAY CT BALTO MD 21234
John N. Jones	1819 Loch Street Rd BALTO 21234
John N. Jones	7 HAYDOCK CT 21234
John N. Jones	1220 SEASIDE RD BALTO MD 21234
John N. Jones	4510 MONTGOMERY RD BALTO MD 21057
John N. Jones	3302 GREENWOOD DR BALTO MD 21234
John N. Jones	2719 4th Avenue Rd 21234
John N. Jones	6759 RED CLOVER CT 21234
John N. Jones	2225 AUSTIN AVE 21234
John N. Jones	2413 HARWOOD RD 21234
John N. Jones	9305 CARMEL RD BALTO MD 21234
John N. Jones	9330 MONTGOMERY AVE BALTO MD 21234

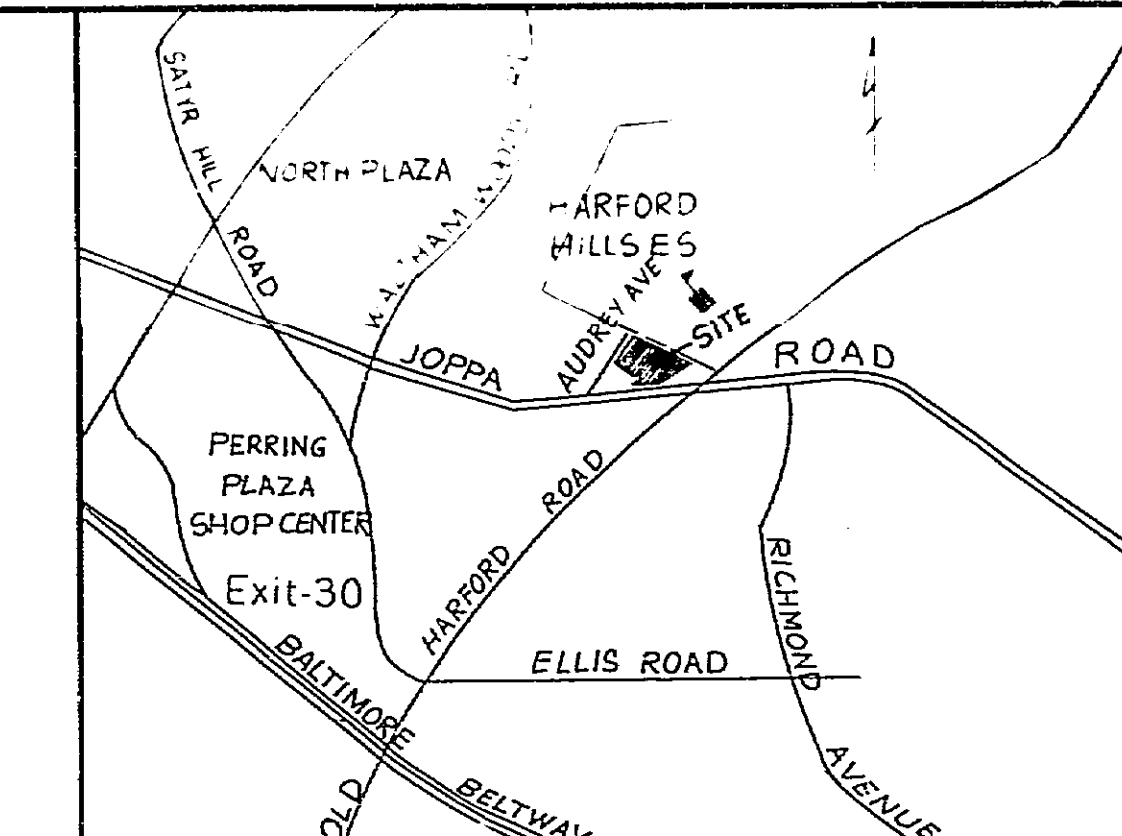
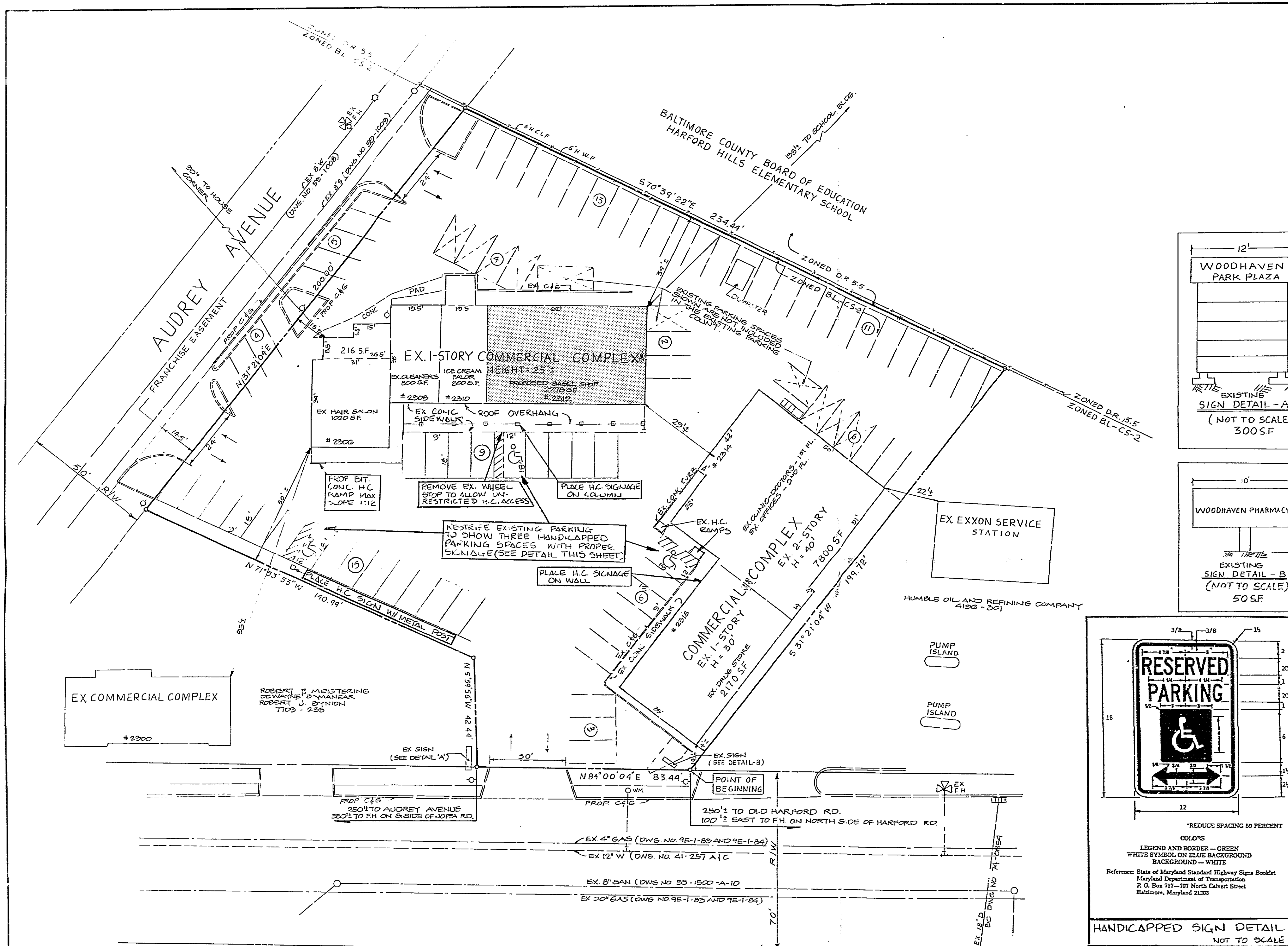
PETITIONER'S
EXHIBIT NO. 20

95-450-A



Petitioner's
Exhibit 3A-K
photographs
Case 95-450-A





VICINITY MAP
SCALE: 1" = 1000'

GENERAL NOTES

- OWNER: DR. MAYER AND DONNA HANDELMAN, 1 GRISTMILL COURT, BALTIMORE, MARYLAND 21208
- LOCATION: 2306 THRU 2318 JOPPA RD., BALTIMORE, MARYLAND 21224
- ACCOUNT NO.: 100004234, DEED REFERENCE: 90552-145, 9815-369, 4328-573, AREA: 1.1 AC.
- ELECTION DISTRICT: 9, COUNCILMANIC DISTRICT: 6, CENSUS DISTRICT: 491701, REGIONAL PLANNING DISTRICT: 316, WATERSHED: GUNPOWDER FALLS, SUBWATERSHED: BACK RIVER TREATMENT PLANT
- ZONING: BL-C5-2
- EXISTING LAND USE: MEDICAL CENTER COMPLEX AND COMMERCIAL COMPLEX
- PROPOSED LAND USE: MEDICAL CENTER COMPLEX AND COMMERCIAL COMPLEX WITH PROPOSED BAGEL SHOP
- BUILDING SETBACKS: ADJOINING DR. S.S. ADJOINING BL.
- FLOOR AREA RATIO: 19077 SF / 47015 SF (1.1 AC.) = 0.40
- PARKING DATA:

	REQUIRED	EXISTING
FRONT YARD	10	10
SIDE YARD	10	10
REAR YARD	20	20
TOTAL	40	40
- EXISTING COMMERCIAL COMPLEX:

	EXISTING	PROPOSED
HAIR SALON	1236 SF x 5 PS/1000 SF	= 6.2
RETAIL (CLEANERS)	800 SF x 5 PS/1000 SF	= 4.0
FAST FOOD (BURGER SHOP & ICE CREAM PARLOR)	2070 SF x 15 PS/1000 SF	= 31.0
TOTAL		= 41.2
- EXISTING MEDICAL CENTER COMPLEX:

	EXISTING	PROPOSED
CLINIC (DOCTORS)	4340 SF x 4 PS/1000 SF	= 17.5
RETAIL (DRUG STORE)	2628 SF x 5 PS/1000 SF	= 13.1
2ND FLOOR OFFICES	1640 SF x 25 PS/1000 SF	= 41.0
TOTAL		= 71.6
- NUMBER OF EMPLOYEES: 8
- HOURS OF OPERATION: 6:00 AM TO 8:00 PM MON THRU SUN
- UTILITIES:

	EXISTING	PROPOSED
EXISTING WATER	B.C. DWG. NO. 59-1008 & 41-257 A-C	
EXISTING SANITARY	B.C. DWG. NO. 59-1008 & 41-257 A-C	
EXISTING STORM DRAIN	B.C. DWG. NO. 59-1008 & 41-257 A-C	
- THERE ARE NO KNOWN EXISTING STREAMS, BODIES OF WATER, SPRINGS, WETLANDS, 100 YEAR FLOOD PLAINS, HISTORIC BUILDINGS, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, WELLS, SEPTIC AREAS, HYDRO SOILS, OR HAZARDOUS MATERIALS SITES LOCATED ON THIS SITE.
- SIGNS: ALL SIGNS SHALL COMPLY WITH BALTIMORE COUNTY ZONING REGULATIONS SECTION 413 AND ALL ZONING ORDINANCES.
- PREVIOUS COMMERCIAL PERMITS: NONE KNOWN
- PREVIOUS ZONING CASES: NONE KNOWN
- AVERAGE DAILY TRIPS:

	EXISTING	PROPOSED
HAIR SALON		
SHOPPING CENTER UNDER 10,000 S.F.	1236 SF x 168,1000 SF	= 207.6
RETAIL (CLEANERS)	800 SF x 168,1000 SF	= 134.4
ICE CREAM PARLOR		
FAST FOOD (BURGER SHOP & ICE CREAM PARLOR)	2070 SF x 206,1000 SF	= 426.3
TOTAL		= 768.3
- EXISTING MEDICAL CENTER COMPLEX:

	EXISTING	PROPOSED
CLINIC (DOCTORS) (MEDICAL OFFICE)	4340 SF x 34,1000 SF	= 147.5
RETAIL (DRUG STORE)	2628 SF x 168,1000 SF	= 441.0
SHOPPING CENTER UNDER 10,000 S.F.		
2ND FLOOR OFFICES	1640 SF x 25,1000 SF	= 41.0
TOTAL		= 629.5
- LIGHTING: ALL EXISTING OR PROPOSED LIGHTING SHALL BE BUILDING MOUNTED AND SHALL NOT BE DIRECTED TOWARD PUBLIC RIGHTS OF WAY.

PRINT DATE

AUG 28 1995

K.C.W. CONSULTANTS, INC.

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE

"WOODHAVEN PHARMACY"
JOPPA ROAD

9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

KCW Consultants, Inc. CIVIL ENGINEERS AND LAND SURVEYORS 3104 TIMANUS LANE SUITE 101 BALTIMORE, MARYLAND 21244 (410) 281-0030 5-10-95	OWNER/DEVELOPER: DR. MAYER AND DONNA HANDELMAN 1 GRISTMILL COURT BALTIMORE, MARYLAND 21208	REVISIONS DATE DESCRIPTION	AUG 28 1995 SCALE: 1" = 20' DATE: 5-1-95
		A VARIANCE IS REQUESTED FROM BCZR SECTION 409.6.2 TO PERMIT 71 PARKING SPACES IN LIEU OF THE REQUIRED 90 PARKING SPACES.	